1984

TOWN OF WAYLAND

# WARRANT

FOR THE

# ANNUAL TOWN MEETING

APRIL 4, 1984

AND

# REPORT

OF THE

# FINANCE COMMITTEE

WITH
RECOMMENDATIONS AND BUDGET

# SOME PERTINENT INFORMATION ABOUT WAYLAND'S TOWN MEETING PROCEDURES

Town Meeting is preceded by a Warrant such as this, mailed to citizens and listing the Articles to be acted upon, along with Recommendations by the Finance Committee. It is important to distinguish between the Articles and the Recommendations.

The Moderator has complete control of the meeting, with the authority to rule on any matter. A quorum of 100 citizens is required.

Articles in the Warrant must be considered in the order in which they appear, unless Town Meeting votes by a TWO-THIRDS vote to change the order.

TO ADDRESS THE MEETING: Rise, call out, "Mr. Moderator," and remain standing until you, or someone else, is recognized. You may not speak until you are recognized by the Moderator. Address the chair when making motions, commenting, or requesting information. The correct language is: "Mr. Moderator, I move . . . . ," "Mr. Moderator, may I ask through you" (then state the question which you want some board, official, or previous speaker to answer), or "Mr. Moderator . . ." and then make your comments or suggestions.

Note that once you sit down after speaking, you relinquish your claim to the floor. Any person must yield the floor if the Moderator so requests. A speaker may only be interrupted by a voter to request he speak louder or for a point of order, some of which are: questions as to legality or propriety of meeting; motion not within scope of Article; doubt of a quorum. No votes are taken on points of order. The Moderator makes the ruling, and it stands.

Every voter has the right to ask questions about parliamentary procedure or make points of order. Otherwise, substantive issues generally may be addressed only if a motion has first been made.

TO MAKE A MOTION: It is quite proper for any voter to offer a motion under any Article. The Town Counsel or Moderator can assist in wording your motion. A motion must both lie within the subject matter of the Article and be legal, or it will be ruled out of order. A motion is made, seconded, repeated by the Moderator, discussed, voted on, and finally disposed of by the Moderator. The Moderator allows, at most, two amendments to a motion at any time. An amendment is moved, discussed, voted on, and then the main motion, either amended or not, is put to a vote.

TO AMEND A MOTION: Obtain the floor, say, "I move to amend the motion by . . . ." An amendment may delete or add words to the main motion or substitute a completely new sentence or motion. Motions to amend are debatable and require only a MAJORITY vote, even though the main motion may require a two-thirds vote.

SOME PERTINENT INFORMATION - (Continued)

TO LIMIT DEBATE: If you think the discussion has gone on long enough, you may "Move the previous question." If this motion is passed, it will stop discussion. This motion requires a TWO-THIRDS vote and may not be amended or debated.

If you wish the meeting to take no action under an Article, you may "Move that the Article be passed over." This takes a MAJORITY vote and, in effect, kills the Article.

If a voice vote is so close that the Moderator is in doubt, or if seven voters challenge his call, he may ask for a standing counted vote. When a two-thirds vote is required, the Moderator usually takes a counted vote unless the voice vote was unanimous.

Questions which usually require a two-thirds vote are: borrowing money; appropriations for purchase or taking of land; adoption or amendment of Zoning By-Laws; considering an Article in other than the given order, including returning to an Article; reconsideration of an Article once acted upon and disposed of; moving the previous question. Note: Only a majority vote is needed to reconsider an Article before it is disposed of.

TO ADJOURN THE MEETING: If you wish to adjourn the meeting before all the Articles have been disposed of, you may "Move to adjourn until (and name a time and place)." A motion to adjourn takes a MAJORITY vote and may be made at any time during the meeting, even though other motions may be pending. No motion to dissolve Town Meeting is in order until every Article has been considered and acted upon.

## HELPFUL INFORMATION ABOUT WAYLAND

| | FY 1982-83 | FY 1983-84 |
|---|---|---|
| Population (January 1, each year) | 12,464 | 12,454 |
| Registered Voters | 7,742 | 7,809 |
| School Enrollment (October 1, each year) | 2,403 | 2,311 |
| Assessed Valuation | $475,060,755 | $474,663,005 |
| Operating Cost of Town | 13,387,156 | 14,289,951 |
| Tax Levy | 11,263,670 | 11,596,017 |

The tax rate is $24.43 per $1,000 of assessed valuation.

Town expenditures of $474,663 equal $1.00 on the tax rate.

For futher information, refer to the Town Report available at the Town Office.

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1984 ANNUAL TOWN MEETING


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## CONSENT CALENDAR

In the interest of expediting Town Meeting and saving valuable time for discussion of key issues, Wayland is trying the "Consent Calendar" to speed passage of Articles which the Moderator and the various Boards and Committees feel appear to raise little controversy. The purpose of the Consent Calendar is to allow the Motions under these Articles to be acted upon as one unit and to be passed by a unanimous vote without debate. The Articles involved will thus be disposed of.

THE CONSENT CALENDAR WILL BE TAKEN UP AS THE FIRST ORDER OF BUSINESS AT THE COMMENCEMENT OF TOWN MEETING ON WEDNESDAY, APRIL 4, 1984.

At the call of the Consent Calendar, the Moderator will call out the numbers of the Articles on the Consent Calendar, one by one. IF ANY VOTER HAS ANY DOUBT ABOUT PASSING ANY MOTION, OR WISHES AN EXPLANATION OF ANY SUBJECT ON THE CONSENT CALENDAR, OR HAS AN ADDITIONAL MOTION TO MAKE UNDER ANY ARTICLE, HE SHOULD STAND AND SAY THE WORD, "HOLD", IN A LOUD, CLEAR VOICE WHEN THE NUMBER IS CALLED. The Article will then be removed automatically from the Consent Calendar and restored to its original place in the Warrant, to be brought up, debated, and voted on in the usual way. Remember, it is only our opinion that these motions can be passed without debate. It is your opinion that counts, and if it differs from ours, we urge you to say so.

After the calling of the individual items on the Consent Calendar, the Moderator will ask that the Consent Calendar be adopted by a unanimous vote.

Note that any other Motions which might have been made under these Articles will be closed off.

In order for the Consent Calendar to be successful, it is necessary for people to review the Warrant carefully before coming to Town Meeting. If you have any questions about the Articles, please attend the Warrant Hearing. You may also call the Executive Secretary, Edward N. Perry, at 358-7701, before Town Meeting time.

## ARTICLES PROPOSED FOR CONSENT CALENDAR

ARTICLE MOTION

Article 5 - COMPENSATION OF ELECTED OFFICERS: Move in the words of the Article. (see page 37)

Article 20 - INSTALLATION OF DRAINAGE - PECK AVENUE: Move in the words of the Article with the sum of $7,500 to be raised by appropriation from available funds in General Fund - Unreserved Fund Balance. (see page 62)

Article 26 - ACCEPT GIFTS: Move in the words of the Article. (see page74)

Article 27. AUTHORIZE TREASURER TO BORROW: Move in the words of the Article. (see page75)

Article 28. AUTHORIZE SELECTMEN TO SELL OR TRADE: Move in the words of the Article, in order to authorize disposal of the property listed under Article 28. (see page76)

# 1984 FINANCE COMMITTEE REPORT

## BACKGROUND

The Finance Committee entered the budget deliberations this year with the expectation that an override would be needed. Last year, we avoided the need for an override by funding a portion of the operating budget out of surplus revenues (formerly called E & D). At the time, it was stated that we were, in essence, spending some of 1985's dollars in 1984. In more technical terms, this left the budget base higher than what the tax levy could support, and lessened the margin available for increase under the restrictions of Proposition 2 1/2. In addition, we have other pressures on the budget this year, including higher assessments from the county and increased debt service for capital purchases in recent years. As a result, not all of the 2 1/2% permitted levy increase will be available for the operating budgets.

Another adverse development in the financial picture this year was the revised state aid distribution formula. Of all of the cities and towns in the Commonwealth, 301 gained more aid than they would have under the old formula, and 50 towns gained less. Wayland was one of the 50. The new distribution favors older cities, and a number of the components of the formula, including age of houses as well as per capita income, worked against us. The intent of the redistribution is the overall improvement of educational quality in the State. However, this is being accomplished by reducing support for towns such as Wayland, which already has a high quality educational program. The goal is admirable, but it should be achievable without compromising existing educational excellence.

## GUIDELINES

Two budget guidelines were given to departments. The first, assuming no override, allowed only 3/4 of 1% increase in operating expenses. The second guideline assumed an override and permitted a 3% budget increase. Both of these guidelines were a strain for departments laboring under the pressure of inflation and salary negotiations which were likely to exceed even the higher guideline.

As expected, service cuts were required in order to meet the tighter guideline. However, the impact of the cuts that would be needed if an override failed proved difficult to describe. Rather than eliminate a service or program altogether, the departments budgeted less support for a wide variety of activities, leading to the concern on the part of the Finance Committee that a broad range of municipal services were being badly weakened. Many of these services would be difficult to restore. Lost personnel would find other jobs in other places. Ground lost in a maintenance program can be expensive to pick up, especially if a costly repair bill is the result.

The individual budget items to be cut are listed below. However, a simple list cannot adequately portray the impact of this override vote. If taxpayer support is denied at the polls, services will continue to erode until the character of the Town is no longer as we know it. Hard decisions will have to be made regarding what will be done poorly and what will not be done at all.

Clearly we must work hard toward a fairer distribution of State aid. Otherwise, Wayland taxpayers will discover that less of their tax money benefits them directly, as the State redistributes it elsewhere. But, ultimately, the buck stops here - if we want to keep what we have, it will be up to us.

OVERRIDE REFERENDA

At the recommendation of the Finance Committee, the Selectmen have placed three override questions on the ballot, printed in their entirety in the Warrant immediately preceding Article 1.

The first override question would allow the tax levy to increase by 5% altogether, rather than the 2 1/2% permitted without a referendum. There are two budget columns in the Warrant for fiscal 1985. The first column, titled OVERRIDE REQUESTED FY 1985, lists the Finance Committee's recommendation for the coming fiscal year. Passage of the override is required in order to support this budget. The second column, titled NON-OVERRIDE REQUESTED FY 1985, lists the budget totals for each department which are recommended if the override referendum fails to pass, and also lists the individual budget items which would be changed in order to achieve the reductions. The motion offered for the Budget Article at Town Meeting will reference one of these columns, depending upon the outcome of the election. In summary, the reductions in service if the override fails include:

- one police officer
- one firefighter (with more frequent closing of Station 2)
- one half-time clerical position
- additional reductions in Framingham Youth Guidance services
- less prompt or thorough snow removal
- landfill closed one additional day a week
- reduced maintenance of roads and equipment in Highway Department
- main library closed Sundays
- Cochituate branch library closed Friday evenings
- reduced Park Department equipment, tree and beach maintenance
- no administrative assistance for Planning Board
- school cuts as described in the school budget booklet

The impact of this budget override is expected to be 61 cents on the tax rate, or $61.00 added to the tax bill for a home worth $100,000.

The second override question provides for exclusion of the debt service for road reconstruction from the tax limit computations.

The road reconstruction program was adopted by the Town as a high priority. The cost of fixing these roads, particularly with little or no assistance from the State, is too high to compete with the operating budget for funds. We cannot afford to work on these roads unless the Town will accept the additional cost of approving a debt exclusion override. This particular override question would enable reconstruction work in the vicinity of Plain and Stonebridge Roads, and engineering work to be done for other road projects. The cost of these projects would total $1,082,000, and the excluded debt service would average 33 cents on the tax rate for five years and 27 cents on the rate for an additional five years. If this override passes, the individual road projects must still be approved by Town Meeting (see Articles 13 through 17).

The third question excludes debt service for the construction of a liner in the landfill, required by the State Department of Environmental Quality Engineering if the landfill is to remain open for use. At this writing, the engineering plans for the liner have not been completed and an accurate cost estimate is unknown. A discussion of this project can be found under Article 12.

## DEBT

Debt service is an important component of the budget, and has significant impact on both the tax rate and the ability of the Town to undertake major projects.

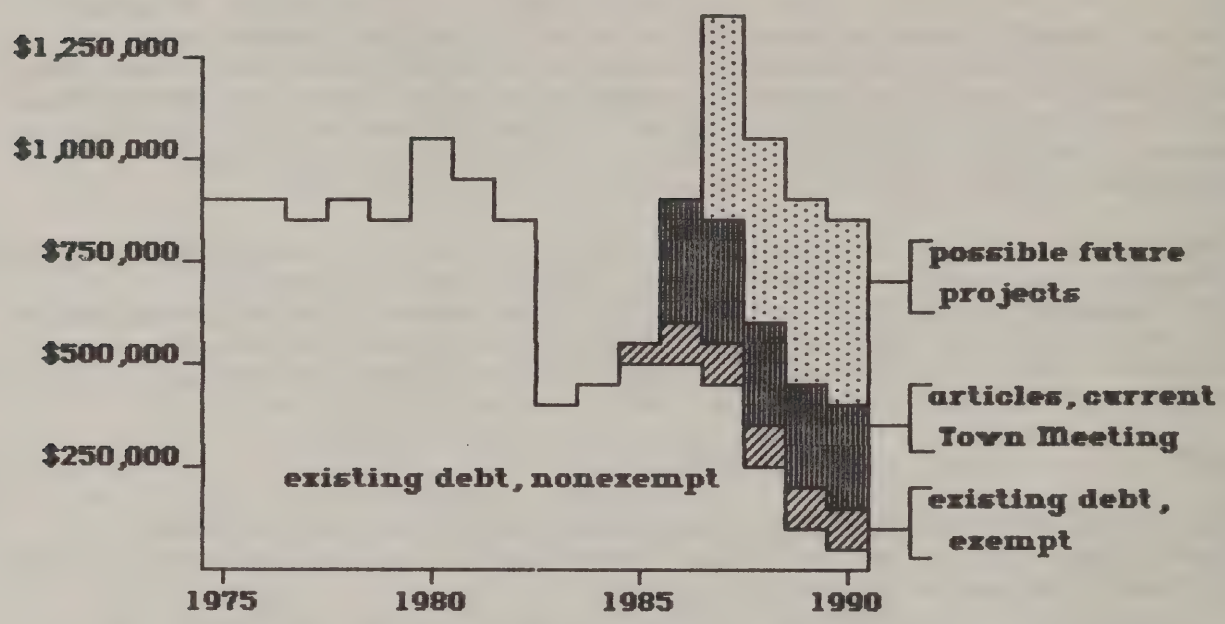
Last year, debt service accounted for about a dollar on the tax rate. This is less than half the level of the previous decade. Most of the school construction bonds have been paid off, and now we are beginning to substitute road construction bonds. Projects such as Old Connecticut Path East reconstruction will begin to show up on the 1985 tax rate. The road projects considered in this Warrant won't have any significant financial impact before fiscal 1986. We will have to consider carefully how many such projects, spread over what period of time, the Town will be able to afford.

The next significant drop-off point for debt service appears in fiscal 1988, when we will have paid off one of the last two remaining school bonds. A year later, the Town Building construction bond will be retired. These two events will release over $200,000 per year.

It should be noted that approximately half of the debt service prior to 1980 was reimbursed by the State, for school construction and conservation purchases. We can expect substantially less assistance from the State for future projects.

The Capital Planning Committee report, printed near the end of the Warrant, describes the financial impact of some of the anticipated projects and capital purchases.

# Past and Projected Debt Service




A ten-year history of debt service (annual payments for principal and interest) is portrayed above, with the addition of projections from the CPC report. "Existing debt, exempt" refers to the Old Connecticut Path East project which was excluded from the Proposition 2 1/2 tax limitation by referendum vote in 1982. "Articles, current Town Meeting" include road projects, the landfill liner, and the acquisition of conservation land. Most of the debt service in this category would be exempted by referendum this year. "Possible future projects" includes further work on roads, conservation land, and a library addition, and would probably require additional referenda.

## CAPITAL ITEMS

The following capital items are included in the budget. Funding for these items will be provided from available funds, so that there is no direct impact upon the tax rate.

1. DATA PROCESSING

   There is a $30,000 appropriation recommended in this budget for unspecified hardware and software. Since the acquisition of the new Town computer, there has been a great deal of demand on the part of a number of departments for computerization of various activities. Some of these applications require the

purchase of equipment or computer programs. The Data Processing Committee is evaluating each of these requests, on the basis of economy (early payback) and compatibility with other existing applications. This review work will not have been completed by the Annual Town Meeting, and therefore specific allocation of these funds will not be possible. In order to permit some of the more pressing needs to be implemented before the middle of 1985, the Selectmen recommended that $30,000 be placed in the Data Processing budget, to be administered by the Data Processing Committee on a priority basis.

2. FIRE DEPARTMENT AMBULANCE

The ambulance is in need of replacement, and this item has been added to the Fire Department budget, with funding to come from available funds. The economics of a lease-purchase arrangement, which would allow the Town to pay for the ambulance over a three-year period, were unfavorable in light of finance charges and existing debt service.

3. HIGHWAY DEPARTMENT BACKHOE

The Highway Department's highest equipment priority is acquisition of a backhoe. A large number of road maintenance projects require the use of a backhoe, and it has proven inefficient in the past for the Highway Department to wait for the Water Department backhoe to be available.

4. LIBRARY AUTOMATION

In 1983, the Town voted to approve a library automation project which involved a three-year equipment acquisition and startup cost. $30,000 has been added to the Library budget for the next phase of this project. The final phase is expected to be voted at the 1985 Annual Town Meeting.

NEW BUDGET ITEMS

The following budget items represent a departure from past practice.

1. CIVIL DEFENSE: AUXILIARY POLICE

This budget has been approximately tripled, to $11,288. The reason for the increase is that the Auxiliary Police force, which has in the past relied on private fund-raising for most of its financial support, has found that a prohibitive amount of time is being dedicated to fund-raising, at the expense of its primary activities. The Auxiliary Police Association is a volunteer organization, donating over 7,000 hours of work to the Town per year. The budget increase would supply uniforms and supplies for these individuals who give so generously of their time.

2. DEPUTY BUILDING INSPECTOR

There is $10,000 in the Inspection budget for a part-time inspector to be assigned to the new phase of the Mainstone project. This position, supported by fees collected from the developer, will insure against repitition of some of the construction and communication problems there have been in the past.

ADJUSTMENTS

1. TOWN COUNSEL

The Town Counsel budget has been increased from $77,250 to $130,000. This does not reflect an increase in expenditure, but rather an attempt at a more realistic budgeting process. In past years, the Town's legal expenses have crept steadily upward, but the appropriation was held down in an attempt to control the expense. Since a good deal of our legal expenses are involved in litigation brought against the Town, the account has proved less easy to control than was anticipated. Therefore it will be budgeted at a more realistic level. At the same time, the Selectmen are adopting a new plan for qualifying and controlling department requests for legal advice.

2. GASOLINE AND UTILITIES

These budgets have also been adjusted where needed to reflect actual expenditures.

3. PLANNING BOARD

There is $5,000 in the Planning Board budget for Mainstone evaluation. This appropriation is funded by fees generated by the Mainstone development.

4. POLICE BUDGET

The appropriation for Training Expense has tripled, to $18,000. This amount would support 40 hours of in-service training per officer. The aim is to keep the officers informed about modern techniques and laws, so that they are better equipped to protect the citizens of the Town. The benefits of this program in improved police protection well justify the cost.

5. PENSION FUNDING

The contribution in the Town's pension liability has been increased from $25,000 to $75,000 this year, in accordance with the ongoing need to adequately fund this liability and forestall economic problems in the future.

WORK IN PROGRESS

The Management Information Committee, established by the Selectmen in the spring of 1983, has been studying ways in which financial data can be maintained and analyzed, in support of more

well-informed decision-making. For example, allocation of legal and personnel costs is being considered, for information if not budgeting purposes. When this work is completed, the Finance Committee and other boards will be better equipped to determine the true costs of various Town activities.

REVALUATION

Wayland is in the midst of a revaluation, mandated by the State and encouraged by Proposition 2 1/2. Since this work is an update of the reassessment performed three years ago, there are fewer anomalies expected (valuations which increase significantly more or less than the average). Therefore, the revaluation will cause little change in the dollar amount of the tax bill for most taxpayers. The new assessments will not appear on tax bills until the Fall of 1984.

Throughout this Warrant, estimates have been made of the impact of various appropriations on the tax rate. These estimates were calculated using the current tax rate, so that taxpayers could determine the impact of the expenditure on their own taxes. Clearly, these estimates require revision after revaluation - 12 cents on the tax rate today may become 7 cents or 9 cents on the rate next year. Voters interested in computing the impact of a project involving ten years of debt service, for example, should use the dollar figure obtained by multiplying the number of cents on the tax rate by the current value of their property (in thousands of dollars), and project that dollar amount forward over a ten-year period.

HISTORY

In the five years since fiscal 1980 (before Proposition 2 1/2), the overall budget has increased 22%. There has been a redistribution of funding priorities among the non-school service areas of the budget, indicated by the percentage increases over the five years:

| | | |
|---|---|---|
| Library | +55% | (40%, exclusive of equipment) |
| Health | +16% | |
| Highway | + 9% | |
| Park & Recreation | +10% | (-10%, exclusive of fee-supported activities) |
| Protection | +53% | |
| Other | +35% | |

The school budget increased 20%, but at the same time experienced a 20% decline in enrollments, so that the per-pupil cost increased about 50%.

Clearly, adequate funding for protection, schools, and library has been a priority of the Town in times of fiscal constraint.

* * * * * *

In the same period, net State aid decreased 1%, local receipts (fees, etc.) have increased 25%, and the tax levy increased 22%.

However, due to expansion of the tax base from new construction, the tax rate has increased only 11% in five years. During this period, the Consumer Price Index rose 45%.

For comparison purposes, the budget increased 28% between 1975 and 1980, and the tax rate increased 14%.

## CONSENT CALENDAR

At the recommendation of the Town Meeting Advisory Committee, which has been working for two years on ways to improve Town Meeting process, the Selectmen have inserted a Consent Calendar in the Warrant this year. A consent calendar is a group of articles which will be voted together, without debate. The general idea is to reduce the amount of time required to accomplish the routine and noncontroversial business of the Town. Sudbury has been using a consent calendar for a number of years.

Any voter can have any article removed from the Consent Calendar by declaring "HOLD" when the article is announced. The article will then be considered as usual, in its original position relative to the other articles. In this way, articles may remain on the Consent Calendar only with the unanimous agreement of the Meeting.

The Finance Committee endorses this recommendation by the Town Meeting Advisory Committee, and expects that Town Meeting will benefit from its implementation.

## APPRECIATION

The Finance Committee wishes to recognize and thank the personnel in the Town Office for the many hours of assistance rendered throughout the year and especially in preparation for Town Meeting. Special thanks to Ned, Alice, John, Bob, and Joanne, whose cheerful and professional support has made all the difference.

TABLE I

WAYLAND INCOME AND EXPENSE STATEMENT

| | FY 1982 | FY 1983 | FY 1984 | OVERRIDE FY 1985 | NON-OVERRIDE FY 1985 |
|---|---|---|---|---|---|
| Budget | $ 12,683,000 | $ 13,387,156 | $ 14,289,951 | $ 15,068,757 | $ 14,805,435 |
| Articles | + 626,000 | + 210,870 | + 241,740 | + 355,050 | + 340,050 |
| TOTAL TOWN EXPENSE | 13,309,000 | 13,598,026 | 14,531,691 | 15,423,807 | 15,145,485 |
| Net "Cherry Sheet" | - 1,340,000 | - 1,318,644 | - 1,442,322 | - 1,440,351 | - 1,440,351 |
| | 11,969,000 | 12,279,382 | 13,339,691 | 13,983,456 | 13,705,134 |
| Overlay Expense | + 165,000 | + 149,980 | + 129,746 | + 175,000 | + 175,000 |
| | 12,134,000 | 12,429,362 | 13,514,691 | 14,158,456 | 13,880,134 |
| Federal Revenue Sharing | - 195,000 | - 217,000 | - 200,000 | - 170,000 | - 170,000 |
| Net To Be Raised by Town | 11,939,000 | 12,212,362 | 13,314,691 | 13,988,456 | 13,710,134 |
| Estimated Receipts | - 835,000 | - 792,821 | - 1,090,117 | - 1,166,275 | - 1,166,275 |
| Net To Be Raised | 11,104,000 | 11,419,541 | 12,227,691 | 12,822,181 | 12,543,859 |
| From Available Funds & Free Cash | - 463,000 | - 155,871 | - 322,981 | - 532,675 | - 532,675 |
| To Be Raised From Taxes | 10,641,000 | 11,263,670 | 11,596,017 | 12,289,506 | 12,011,184 |
| Assessed Valuation | 472,999,548 | 475,060,755 | 474,663,005 | 550,000,000* | 550,000,000* |
| Tax Rate = Total Costs / Valuation x 1000 | 22.50 | 23.71 | 24.43 | 22.34* | 21.84* |

*Estimate, pending current reassessment

TABLE II

SIX-YEAR HISTORICAL BUDGET SUMMARY

| Fiscal Year | School | Town | Total | Increase | % |
|---|---|---|---|---|---|
| Non-Override 1985 (Est.) | 8,512,963 | 6,292,472 | 14,805,435 | 515,484 | 3.6 |
| Override 1985 (Est.) | 8,702,963 | 6,365,794 | 15,068,757 | 778,806 | 5.5 |
| 1984 | 8,360,632 | 5,931,933 | 14,289,951 | 902,795 | 6.7 |
| 1983 | 7,978,012 | 5,409,144 | 13,387,156 | 648,759 | 5.1 |
| 1982 | 7,344,365 | 5,394,032 | 12,738,397 | 285,300 | -2.19 |
| 1981 | 7,648,940 | 5,363,157 | 13,012,097 | 668,205 | 5.4 |
| 1980 | 7,202,723 | 5,141,169 | 12,343,892 | 819,676 | 7.1 |

TABLE III

TOWN REVENUES, EXCLUSIVE OR REAL ESTATE TAXES

| | FY 1980 | FY 1981 | FY 1982 | FY 1983 | FY 1984 | Est. FY 1985 |
|---|---|---|---|---|---|---|
| Auto Excise | 845,000 | 488,000 | 355,000 | 350,000 | 435,000 | 435,000 |
| Fees, Fines, Interest | 419,000 | 476,000 | 479,200 | 442,821 | 655,117 | 731,275 |
| Federal Revenue Sharing | 192,000 | 195,000 | 195,000 | 217,000 | 200,000 | 170,000 |
| Net Receipts From State | 1,110,000 | 1,100,000 | 1,339,836 | 1,318,644 | 1,442,322 | 1,440,351 |
| | 2,566,000 | 2,259,000 | 2,369,036 | 2,328,465 | 2,732,439 | 2,776,626 |
| Raised from Taxes | 10,453,000 | 10,382,000 | 10,639,700 | 11,263,691 | 11,596,017 | Override 12,289,506 |
| | | | | | | Non-Override 12,011,184 |

Five-Year Overview

Percent of the Budget by Departments

| Department | % 1982 | % 1983 | % 1984 | % 1985 Override | % 1985 Non-Override |
|---|---|---|---|---|---|
| General Government | 6.3 | 6.9 | 6.7 | 6.9 | 7.1 |
| Protection | 10.9 | 11.2 | 11.8 | 12.4 | 12.4 |
| Health | 1.9 | 1.9 | 1.9 | 1.8 | 1.8 |
| Highway | 4.8 | 4.7 | 5.0 | 4.9 | 4.8 |
| Veteran's Benefits | 4.8 | 4.7 | 5.0 | .1 | .1 |
| Schools | 56.6 | 58.8 | 57.4 | 57.2 | 57.0 |
| Reg. Voc. School | 1.1 | .8 | 1.0 | .5 | .5 |
| Libraries | 1.7 | 1.8 | 1.8 | 1.9 | 1.9 |
| Park & Recreation | 2.2 | 2.1 | 1.9 | 1.8 | 1.8 |
| Fee Supported Programs | .3 | .3 | .4 | .5 | .5 |
| Unclassified | 6.8 | 7.2 | 7.2 | 6.4 | 6.5 |
| Debt & Interest | 7.3 | 3.4 | 3.5 | 4.3 | 4.3 |
| Wayland/Sudbury Septage | -- | .9 | 1.3 | 1.3 | 1.3 |

COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss. Town of Wayland

* * * WARRANT * * *

To any of the Constables of the Town of Wayland, Greetings:

In the name of the Commonwealth of Massachusetts, you are hereby required to notify all residents of the Town of Wayland, who shall be qualified to vote in accord with the provisions of G.L. Chapter 51, Section 1, to come to their respective polling places (Precinct 1 in the Gymnasium of the Town Building and Precinct 2 in the Junior High School) on

MONDAY, APRIL 2, 1984 BETWEEN 7:00 A.M. AND 8:00 P.M.

to choose the following Town officers by ballot from Wayland's registered voters for the following terms of office:

A Moderator, a Road Commissioner, each for one year;

Two Selectmen, two members of the School Committee, one Assessor, two Trustees of the Public Library, one member of the Board of Health, one Road Commissioner, one member of the Park and Recreation Commission, one Water Commissioner, one Commissioner of Trust Funds, each for three years;

One member of the Planning Board, one member of the Housing Authority, each for five years;

as well as such other Town officers as may be necessary.

And to vote "Yes" or "No" upon the following Referendum Questions:

QUESTION NO. 1

"Shall the Town of Wayland be allowed to assess an additional $289,900 in real estate and personal property taxes for the fiscal year beginning July first, nineteen hundred and eighty-four?"

QUESTION NO. 2

"Shall the Town of Wayland be allowed to exempt from the provisions of proposition two and one-half, so-called, the amounts required to pay for the bond issued in order to reconstruct portions of Stonebridge Road, Plain Road, Millbrook Road, and Claypit Hill Road, and for the engineering and design of Sherman's Bridge, Sherman's Bridge Road, Pinebrook Road, and a portion of Old Connecticut Path East?"

QUESTION NO. 3

"Shall the Town of Wayland be allowed to exempt from the provisions of proposition two and one-half, so-called, the amounts required to pay for the bond issued in order to install an impervious Liner and Leachate Collection System for the Landfill?"

You are also required to notify all such residents of Wayland to meet in the Field House of the Wayland High School on

WEDNESDAY, APRIL 4, 1984, at 7:45 P.M.

to act on the following Articles:

Notice: It is the intention of the Finance Committee to request of the Town that if adjourned meetings be necessary to complete the action on the Warrant, they be held Thursday, April 5, and Monday, April 9, Wednesday April 11, and Thursday, April 12, 1984.

Note Regarding Quantum of Vote: For those articles involving appropriations which are anticipated to be provided by taxation or from available funds or transferred funds previously appropriated for another purpose, a majority quantum of vote is indicated. For articles which are anticipated to be funded by borrowing, a two-thirds quantum of vote is indicated.

Certain articles request the action of Town Meeting under its general legislative powers (i.e., to hear and accept reports, to appoint a committee, etc.), and in such cases no particular statute is referenced. Town Counsel has advised that, as a matter of common-law precedent in Massachusetts, such matters are to be decided by a majority vote.

* * * * * * * * * *

ARTICLE 1. TO HEAR REPORTS

Article 1. To receive and act upon reports of Town officers, agents, trustees, commissioners, boards, and committees, or take any action relative thereto.

QUANTUM OF VOTE: Majority

## ARTICLE 2. TO CHOOSE OFFICERS

Article 2. To choose Town officers, agents, trustees, commissioners, boards, and committees not elected by the official ballot.

QUANTUM OF VOTE: Majority - see Mass. G.L. Ch. 41, Sec. 1

## ARTICLE 3. AMEND WAGE & SALARY PLAN

Proposed by: Personnel Board

Article 3. To see whether the Town will vote to amend the Wage and Salary Classification Plan previously adopted by the Town by making the following additions, deletions, or modifications thereto and by establishing effective dates for such amendments; or take any action relative thereto.

(a) Amend the portion of Article II, Section 1 of said Plan, entitled "Office Staff-Union", by deleting the entire schedule presently shown and substituting the following new schedule in place thereof:

OFFICE STAFF - UNION*

| Grade | Title | Fiscal Year | Start Sal. | After 1 Yr | After 2 Yrs | After 3 Yrs | After 4 Yrs | After 5 Yrs | After 6 Yrs |
|---|---|---|---|---|---|---|---|---|---|
| C-1 | Apprent. Clerk | 1984 | 8103 | 8449 | 8797 | 9126 | 9511 | 9858 | 10263 |
| C-5 | Junior Clerk | 1984 | 9511 | 9858 | 10263 | 10669 | 11093 | 11537 | 11980 |
| C-6 | Mach.Rm. Clerk | 1984 | 9858 | 10263 | 10669 | 11093 | 11537 | 11980 | 12462 |
| C-7 | Swtchbd. Operator | 1984 | 10263 | 10669 | 11093 | 11537 | 11980 | 12462 | 12964 |
| C-8 | Senior Clerk | 1984 | 10669 | 11093 | 11537 | 11980 | 12462 | 12964 | 13485 |
| C-12 | Princ. Clerk | 1984 | 12462 | 12964 | 13466 | 14006 | 14565 | 15144 | 15742 |
| C-13 | Asst.** Treasurer | 1984 | 12964 | 13466 | 14006 | 14565 | 15144 | 15742 | 16379 |
| C-14 | Super.of Accounts | 1984 | 13466 | 14006 | 14565 | 15144 | 15742 | 16379 | 17015 |
| C-14 | Assess. Clerk | 1984 | 13466 | 14006 | 14565 | 15144 | 15742 | 16379 | 17015 |
| C-15 | Payroll Super. | 1984 | 14006 | 14565 | 15144 | 15742 | 16379 | 17015 | 17690 |

*Stipends are added by vote of the Personnel Board. Currently, Principal Clerk in the Water Department has a stipend of $500.

**Reclassification, effective November 14, 1983.

(b) Amend the portion of Article II, Section 1 of said Plan, entitled "Library-Union", by deleting the entire schedule presently shown and substituting the following new schedule in place thereof:

LIBRARY - UNION*

| | | | | | | | | |
|---|---|---|---|---|---|---|---|---|
| L-17 | Childrens Libr. Head Tech.Serv. | 1984 | 17710 | 18439 | 19164 | 19930 | 20727 | 21556 |
| L-14 | Asst.Libr. | 1984 | 15758 | 16333 | 17036 | 17043 | 18409 | 19155 |
| L-10 | Admin.Asst. Head Circ. Asst.Child. Libr. | 1984 | 13467 | 13999 | 14579 | 15156 | 15762 | 16393 |
| L-8 | Branch Libr. Coord. | 1984 | 12452 | 12953 | 13467 | 13999 | 14560 | 15142 |
| L-6 | Libr.Asst. | 1984 | 11649 | 12131 | 12602 | 13103 | 13622 | 14161 |
| L-C | Custodian | 1984 | 11509 | 11981 | 12452 | 12953 | 13472 | 14011 |

*Reflects salary increases and reclassifications for FY 1984 negotiated with Union since last Town Meeting.

COMMENTS: This Article reflects actions taken by the Personnel Board since the last Town Meeting - a reclassification in the Office Staff Union and settlement with the Library Union.

RECOMMENDATION: The Finance Committee recommends approval of the Article.

QUANTUM OF VOTE: Majority - See Mass. G.L. Ch. 41, Sec. 108A

## ARTICLE 4. RAISE AND APPROPRIATE - BUDGET

Proposed by: Finance Committee

Article 4. To see what sum of money the Town will appropriate for the operation and expenses of the Town, including capital expenditures for equipment, improvements or other purposes, and to determine whether such appropriation shall be provided by taxation, by appropriation from available funds, by transfer of funds already appropriated for another purpose, by borrowing under the authority of the General Laws, or otherwise; or take any action relative thereto.

COMMENTS: Following the Finance Committee's recommendation is a budget summary of the motion the Finance Committee expects to make under the Article. See the Finance Committee Report for additional budget information.

RECOMMENDATION: The Finance Committee recommends approval of the Article.

QUANTUM OF VOTE: Majority - see Mass. G.L. Ch. 40, Sec. 5, Ch. 44, Sec. 33B

BUDGET SUMMARY

| | Appropriated Fiscal Year 1983 | Appropriated Fiscal Year 1984 | Budget Fiscal Year 1985 | Per Cent Increase |
|---|---|---|---|---|
| General Government | 937,923 | 953,857 | 1,054,030 | 10.5 *1 |
| Protection | 1,514,899 | 1,685,957 | 1,872,723 | 11.1 *2 |
| Health | 250,089 | 265,990 | 266,503 | .2 |
| Highway | 634,272 | 715,287 | 732,958 | 2.5 |
| Veteran's Benefits | 13,200 | 20,000 | 13,200 | -34 |
| Schools | 7,866,240 | 8,222,063 | 8,617,382 | 4.8 |
| Reg. Voc. School | 111,772 | 138,569 | 85,581 | -38 |
| Libraries | 231,642 | 256,103 | 294,711 | 15 *3 |
| Park & Recreation | 283,067 | 267,895 | 276,888 | 3.4 |
| Unclassified | 922,633 | 1,021,370 | 959,186 | -6.1 |
| Fee Supported Programs | 43,840 | 54,975 | 80,508 | 46 *4 |
| Debt & Interest | 449,579 | 493,995 | 630,557 | 28 |
| Sudbury/Wayland Septage | 118,000 | 193,530 | 193,530 | -- |
| | 13,387,156 | 14,289,951 | 15,077,757 | 5.5 *5 |

1. Town Counsel represents 5.1% of this increase, Computer Equipment 3.1%, regular departmental budgets increased 2.3%

2. New Town ambulance represents 2.5% of this increase. Regular Protection increased 8.6%

3. Automation of certain Library services represent 11.7% of this increase, Regular Budget 3.3%

4. No effect on tax rate

5. Town Counsel and one-time capital purchases represent 1.5% of the budget. Operating budgets increased 3.9%

MOTION UNDER ARTICLE 4.

For what it considers to be the proper management of the Town and its finances, the Finance Committee makes the following recommendations, and they are, therefore, incorporated under the motion to be made under Article 4 at the Annual Town Meeting, a follows:

That all employees in the Wayland Town Building, the Public Safety Building and the Cochituate Town Building, other than elected officials and those of the School Department, come under the supervision of the Executive Secretary, and that he be charged with the operation, maintenance, and administration of these buildings, their equipment and their grounds; except as to the Wayland Town Building, the Executive Secretary shall be responsible also for its use;

The operation of the landfills be under the supervision of the Road Commissioners;

The appropriation under Conservation Commission for "Conservation Fund" be maintained as a fund against future purchases and not be expended without further direct vote of the Town;

The Town Collector continue to act as Collector for the Water Department, and that all fees and penalties from whatever source be turned over to the Town as Town Income;

The appropriation for "Hydrant Rental" of $16,000 for the Water Department granted in the budget be transferred to "Water Available Surplus";

The sum of $170,000 from "Revenue Sharing PL-94-488" be transferred from this account for application against the Police Department item "Salaries";

The Office of the Town Clerk be continued on a salary basis and that all fees from whatever source derived be turned over to the Town as Town Income;

All fees, wages, or payments made to the Tree Warden, from whatever source, be turned over to the Town as Town Income.

FINANCE COMMITTEE BUDGET FOR FISCAL YEAR 1985
(July 1, 1984 - June 30, 1985)

| | EXPENDED FY-1983 | APPROPRIATED FY 1984 | OVERRIDE REQUESTED FY 1985 | NON-OVERRIDE REQUESTED FY 1985 | ITEM NO. |
|---|---|---|---|---|---|
| SELECTMEN | | | | | |
| Salaries | 500 | 500 | 500 | | 1 |
| Expense | 6,189 | 4,356 | 4,356 | | 2 |
| Out of State Travel | 50 | 50 | 50 | | 3 |
| Real Estate Option | 450 | 450 | 450 | | 4 |
| | 7,189 | 5,356 | 5,356 | 5,356 | |
| CIVIL DEFENSE | | | | | |
| Salary | 1,300 | 1,300 | 1,400 | | 5 |
| Equipment-Ammo-Supplies | 2,599 | 2,717 | 5,131 | | 6 |
| Uniforms | -- | -- | 4,757 | | 7 |
| | 3,899 | 4,017 | 11,288 | 11,288 | |
| TOWN OFFICE | | | | | |
| Salaries | 192,121 | 199,358 | 213,329 | | 8 |
| Expense | 34,925 | 31,000 | 32,250 | | 9 |
| Equipment | 22,990 | 5,000 | 5,000 | | 10 |
| Telephones | 31,058 | 28,000 | 31,000 | | 11 |
| Gasoline | 40,363 | Trans.Indiv.Accts. | -- | | 12 |
| Professional Services | -- | 7,500 | 17,000 | | 13 |
| | 321,457 | 270,858 | 298,579 | 298,579 | |
| WAYLAND TOWN BUILDING | | | | | |
| Salaries | 34,102 | 37,181 | 39,412 | | 14 |
| Building Utilities | 73,913 | 77,600 | 68,600 | | 15 |
| Expense | 17,643 | 10,731 | 21,200 | | 16 |
| | 125,658 | 125,512 | 129,212 | 129,212 | |
| OTHER TOWN BUILDING-COCHITUATE | | | | | |
| Expenses | 12,000 | 12,360 | 17,900 | 17,900 | 17 |
| LOKER SCHOOL (Paid entirely from fees) | | | | | |
| Salaries | 16,380 | 17,363 | 18,057 | | 18 |
| Expense | 40,198 | 39,528 | 39,500 | | 19 |
| Capital Replacement | -- | 7,500 | 7,500 | | 20 |
| | 56,578 | 64,391 | 65,057 | 65,057 | |
| DATA PROCESSING | | | | | |
| Manager | 26,381 | 28,300 | 30,800 | | |
| Computer Operator | 19,209 | 10,564 | 2,000 | | |
| Total Salaries | 45,590 | 38,864 | 32,800 | 32,800 | 21 |

| | EXPENDED FY-1983 | APROPRIATED FY 1984 | OVERRIDE REQUESTED FY 1985 | NON-OVERRIDE REQUESTED FY 1985 | ITEM NO. |
|---|---|---|---|---|---|
| Expenses: | | | | | |
| Forms & Supplies | 7,918 | 10,000 | 13,300 | | 22 |
| Engineering Fees | 1,000 | -- | -- | | 23 |
| Education/Out of State Travel | 2,081 | 2,100 | 200 | | 24 |
| Equipment: | | | | | |
| Rental and Repairs | 29,559 | 24,216 | 25,200 | | 25 |
| New Computer Supplies & Programs | 21,448 | -- | 30,000 | | 26 |
| Professional Services: | | | | | |
| Computer | -- | 15,830 | 12,900 | | 27 |
| | 107,596 | 91,010 | 114,400 | 114,400 | |
| TREASURER/COLLECTOR | | | | | |
| Treasurer/Collector Sal. | 22,686 | 24,000 | 26,100 | | |
| Clerical Salary | 26,325 | 27,319 | 26,143 | | |
| Total Salaries: | 49,011 | 51,319 | 52,243 | 52,243 | 28 |
| Expenses: | | | | | |
| Operating Expense | 1,010 | 1,175 | 1,480 | | 29 |
| Tax Title Expense | -- | 4,783 | 4,900 | | 30 |
| Deputy Collector Expnse | 1,000 | 1,000 | 1,000 | | 31 |
| | 51,021 | 58,277 | 59,623 | 59,623 | |
| ASSESSORS | | | | | |
| Salaries | 4,599 | 4,600 | 4,600 | | 32 |
| Clerical | 30,515 | 30,900 | 34,219 | | 33 |
| Expense | 891 | 1,400 | 1,400 | | 34 |
| Professional Services | 1,550 | 2,250 | 1,550 | | 35 |
| Appraisals | 945 | -- | -- | | 36 |
| Property Reassessment | 5,369 | 38,900 | -- | | 37 |
| | 43,869 | 78,050 | 41,769 | 41,769 | |
| FINANCE COMMITTEE | 100 | 100 | 100 | 100 | 38 |
| PERSONNEL BOARD | | | | | |
| Expense | 66 | 100 | 500 | | 39 |
| Adjustment Fund | 11,479(Tr) | 15,000 | 15,000 | | 40 |
| | 11,545 | 15,100 | 15,500 | 15,500 | |
| TOWN COUNSEL | | | | | |
| Professional Services | 171,600 | 74,250 | 127,000 | | 41 |
| Accrued Taxes | 1,065 | 1,500 | 1,500 | | 42 |
| Legal Expenses | 1,500 | 1,500 | 1,500 | | 43 |
| | 174,165 | 77,250 | 130,000 | 130,000 | |

| | EXPENDED FY-1983 | APPROPRIATED FY 1984 | OVERRIDE REQUESTED FY 1985 | NON-OVERRIDE REQUESTED FY 1985 | ITEM NO. |
|---|---|---|---|---|---|
| REGISTRARS | | | | | |
| Salary | 200 | 200 | 200 | | 44 |
| Listing | 1,333 | 1,000 | 1,000 | | 45 |
| | 1,533 | 1,200 | 1,200 | 1,200 | |
| TOWN CLERK | | | | | |
| Town Clerk Salary | 18,248 | 19,250 | 19,250 | | 46 |
| Town Clerk Added Comp. | 800 | 400 | 400 | | 47 |
| Clerical | 10,456 | 10,669 | 11,243 | | 48 |
| Expense | 1,559 | 1,100 | 1,100 | | 49 |
| Book Binding | -- | -- | 1,705 | | 50 |
| State Census | -- | -- | 3,000 | | 51 |
| | 31,063 | 31,419 | 36,698 | 36,698 | |
| ELECTIONS | | | | | |
| Officers Salaries | 2,228 | 1,330 | 1,900 | | 52 |
| Expense | 773 | 773 | 750 | | 53 |
| | 3,001 | 2,103 | 2,650 | 2,650 | |
| PLANNING BOARD | | | | | |
| Expense | 1,643 | 5,300 | 5,459 | | 54 |
| Professional Services | 900 | 5,000 | 5,000 | | 55 |
| Mainstone Evaluation | -- | -- | 5,000 | | 56 |
| | 2,543 | 10,300 | 15,459 | 15,459 | |
| TOWN SURVEYOR | | | | | |
| Town Surveyor Salary | 28,231 | 30,000 | 30,050 | | |
| Engineering Aides Sal. | 34,796 | 38,710 | 40,309 | | |
| Total Salaries | 63,027 | 68,710 | 70,359 | 70,359 | 57 |
| Expense | 2,000 | 2,250 | 2,040 | | 58 |
| Vehicle Expense | 7,998 | 800 | 800 | | 59 |
| | 73,025 | 71,760 | 73,199 | 73,199 | |
| CONSERVATION | | | | | |
| Administrator Salary | 20,058 | 20,500 | 22,140 | | 60 |
| Expense | 1,994 | 1,703 | 1,738 | | 61 |
| Professional Services | 5,390 | 4,000 | 4,000 | | 62 |
| Vehicle Expense | -- | 200 | 350 | | 63 |
| Drainage Repair Project | 3,995 | -- | -- | | 64 |
| | 31,437 | 26,403 | 28,228 | 28,228 | |
| Programs Paid Entirely From Fees: | | | | | |
| Community Gardens | -- | 2,261 | 1,700 | 1,700 | 65 |

| | EXPENDED FY-1983 | APPROPRIATED FY 1984 | OVERRIDE REQUESTED FY 1985 | NON-OVERRIDE REQUESTED FY 1985 | ITEM NO. |
|---|---|---|---|---|---|
| HISTORICAL COMMISSION | | | | | |
| Professional Services | 150 | 180 | 180 | | 66 |
| Expense | 860 | 900 | 932 | | 67 |
| | 1,010 | 1,080 | 1,112 | 1,112 | |
| SURFACE WATER QUALITY | -- | 5,000 | 5,000 | 5,000 | 68 |
| HISTORIC DISTRICT COMMISSION | -- | 50 | -- | | 69 |
| TOTAL GENERAL GOVERNMENT | 1,058,689 | 953,857 | 1,054,030 | 1,054,030 | |

| | EXPENDED FY-1983 | APPROPRIATED FY 1984 | OVERRIDE REQUESTED FY 1985 | NON-OVERRIDE REQUESTED FY 1985 | ITEM NO. |
|---|---|---|---|---|---|
| **POLICE** | | | | | |
| Salaries: | | | | | |
| Police Chief Salary | 31,882 | 33,800 | 36,500 | | |
| Lieutenant | 26,130 | 28,757 | 31,010 | | |
| Youth Officer Salary | 23,240 | 24,549 | 25,444 | | |
| Sergeants Salary (5) | 123,698 | 130,378 | 136,590 | | |
| Detectives Salary (2) | 39,486 | 42,486 | 44,187 | | |
| Patrolmen Salary (12) | 235,650 | 255,771 | 268,442 | 247,247 | |
| Interns Salary | 6,497 | 6,400 | 6,656 | | |
| Overtime Salary | 54,177 | 50,000 | 52,000 | 57,366 | |
| Holiday Salary | 17,612 | 18,997 | 19,940 | 19,124 | |
| School Traffic Super. | 12,957 | 12,544 | 13,193 | | |
| Specials | 1,971 | 2,500 | 2,600 | | |
| Court Time | 6,231 | 6,900 | 10,000 | | |
| Clerk | 13,947 | 15,894 | 16,972 | | |
| Night Differential | 7,480 | 7,488 | 7,488 | | |
| Total Salaries | 600,958 | 636,464 | 671,022 | 654,377 | 1 |
| Expense: | | | | | |
| Operating Expense | 11,407 | 11,310 | 11,410 | | 2 |
| Uniform Expense | 7,842 | 9,115 | 9,165 | 8,810 | 3 |
| Training Expense | 4,814 | 6,000 | 18,000 | | 4 |
| Youth Officer Expense | 789 | 800 | 800 | | 5 |
| Crime Prevention | 300 | 300 | 300 | | 6 |
| Special Services Exp. | -- | 500 | 500 | | 7 |
| Equipment: | | | | | |
| Police Cars-Purchase | 24,956 | 29,800 | 37,828 | | 8 |
| Vehicle Operation Exp. | 11,262 | 11,500 | 13,000 | | 9 |
| New Equipment, Misc. & Office | 3,626 | 1,320 | 1,320 | | 10 |
| Other Equipment | 1,758 | 1,000 | 1,400 | | 11 |
| Equipment Maintenance & Repair | 1,841 | 1,700 | 1,800 | | 12 |
| Vehicle Gasoline | -- | 22,700 | 32,700 | | 13 |
| Total Police Dept. | 669,553 | 732,509 | 799,245 | 782,245 | |
| **FIRE** | | | | | |
| Salaries: | | | | | |
| Chief Salary | 33,689 | 35,400 | 38,200 | | |
| Deputy Chief Salary | 24,620 | 26,250 | 27,734 | | |
| Captains Salary (3) | 66,731 | 70,784 | 74,914 | | |
| Firefighters Salary (20) | 365,615 | 416,027 | 419,930 | 400,375 | |
| Longevity | 3,775 | 3,750 | 3,800 | | |
| Incentive & EMT Pay | 17,575 | 18,150 | 18,850 | 18,200 | |
| Overtime | 41,083 | 41,000 | 45,000 | 49,221 | |
| Callback Pay | 7,666 | 8,000 | 10,000 | | |
| Holiday Pay | 24,438 | 25,888 | 27,494 | 26,478 | |
| Callmen Hourly | 5,244 | 4,500 | 5,000 | | |
| Callmen Annually | 1,197 | 2,400 | 2,500 | | |
| Clerical - Part-time | 888 | 1,500 | 1,500 | | |
| Total Salaries | 592,521 | 653,649 | 674,922 | 657,922 | 14 |

| | EXPENDED FY-1983 | APPROPRIATED FY 1984 | OVERRIDE REQUESTED FY 1985 | NON-OVERRIDE REQUESTED FY 1985 | ITEM NO. |
|---|---|---|---|---|---|
| Operating Expense | 6,694 | 7,100 | 6,000 | | 15 |
| Ambulance Expense | 3,472 | 3,500 | 4,000 | | 16 |
| Fire Alarm System Exp. | 1,948 | 2,400 | 2,500 | | 17 |
| Training and Education | 1,699 | 1,700 | 1,700 | | 18 |
| Uniform Expense | 7,898 | 7,900 | 9,400 | | 19 |
| Out of State Travel | -- | 300 | 300 | | 20 |
| Physical Exam | -- | -- | 2,500 | | 21 |
| Equipment: | | | | | |
| Misc. Equipment & Hose | 5,999 | 6,100 | 10,300 | | 22 |
| Equipment Maintenance | 3,975 | 4,100 | 5,500 | | 23 |
| Equipment Reserve | 7,458 | -- | -- | | 24 |
| Equipment Rental | 500 | 500 | 500 | | 25 |
| Vehicle Gasoline | -- | 8,000 | 8,000 | | 26 |
| New Ambulance | -- | -- | 42,000 | | 27 |
| Total Fire Dept. | 632,164 | 695,249 | 767,622 | 750,622 | |
| INSPECTION | | | | | |
| Salaries: | | | | | |
| Building & Zoning Inspt. Salary | 24,629 | 24,700 | 26,400 | | |
| Deputy Building Inspector | -- | 400 | 10,000 | | |
| Sub. Inspector Salary | 1,375 | 1,500 | 1,500 | | |
| Wiring Inspector | 7,129 | 7,130 | 7,130 | | |
| Gas Inspector | 3,565 | 3,565 | 3,565 | | |
| Plumbing Inspector | 3,692 | 3,715 | 3,715 | | |
| Clerical | 25,372 | 26,664 | 29,540 | 22,486 | |
| Sealer of Weights & Measures | -- | 250 | 1,000 | | |
| Total Salaries | 65,762 | 67,924 | 82,850 | 74,096 | 28 |
| Expense: | | | | | |
| Building & Zoning Exp. | 1,601 | 1,825 | 1,705 | | 29 |
| Inspectors Expense | 1,587 | 1,735 | 1,685 | | 30 |
| Zoning Board Expense | 539 | 550 | 550 | | 31 |
| Sealer of Weights & Measures | -- | 50 | 200 | | 32 |
| Out of State Travel | -- | 150 | 150 | | 33 |
| Equipment: | | | | | |
| Vehicle Expense | 465 | 500 | 400 | | 34 |
| Vehicle Purchase | -- | 2,250 | -- | | 35 |
| Office Equipment | -- | 835 | 700 | | 36 |
| Vehicle Gasoline | -- | 500 | 400 | | 37 |
| Sealer of Weights & Measures | -- | 50 | 285 | | 38 |

| | EXPENDED FY-1983 | APPROPRIATED FY 1984 | OVERRIDE REQUESTED FY 1985 | NON-OVERRIDE REQUESTED FY 1985 | ITEM NO. |
|---|---|---|---|---|---|
| Dog Officer: | | | | | |
| Dog Officer Salary | 13,661 | 14,350 | 15,500 | | 39 |
| Dog Officer Expense | 1,110 | 1,100 | 1,100 | | 40 |
| Board & Vet Fees | 1,538 | 1,405 | 1,600 | | 41 |
| Vehicle Expense | -- | 800 | 700 | | 42 |
| Total Inspection | 86,263 | 94,024 | 107,895 | 100,841 | |
| JOINT COMMUNICATIONS | | | | | |
| Dispatchers Salary | 97,800 | 105,875 | 121,836 | | 43 |
| Operating Expense | 12,500 | 12,500 | 13,500 | | 44 |
| Bldg. Exp., Maint.&Repairs | 23,499 | 27,000 | 25,000 | | 45 |
| Building Expense Utilities | 26,270 | 16,000 | 28,000 | | 46 |
| E911 Phone Study | -- | 2,800 | -- | | 47 |
| Special Item: Building Repairs | -- | -- | 9,625 | | 48 |
| | 160,069 | 164,175 | 197,961 | 197,961 | |
| TOTAL PROTECTION | 1,548,049 | 1,685,957 | 1,872,723 | 1,831,669 | |

| | EXPENDED FY-1983 | APPROPRIATED FY 1984 | OVERRIDE REQUESTED FY 1985 | NON-OVERRIDE REQUESTED FY 1985 | ITEM NO. |
|---|---|---|---|---|---|
| BOARD OF HEALTH | | | | | |
| Salaries: | | | | | |
| Board Members | 150 | 150 | 150 | | |
| Health Inspector | 9,753 | 10,166 | 10,667 | | |
| Secretary to Board | 13,239 | 14,658 | 15,834 | | |
| Environmental Engineer | 15,980 | 17,800 | 19,580 | | |
| Detached Social Worker | 30,232 | 30,550 | 32,250 | | |
| Ass't. Detached Social Worker | 15,279 | 17,710 | 18,594 | | |
| Animal Inspector | 630 | 630 | 630 | | |
| Total Salaries | 85,263 | 91,664 | 97,705 | 96,645 | 1 |
| Expense: | | | | | |
| Office Expense | 2,981 | 3,090 | 4,390 | | 2 |
| In State Travel Expense | 2,512 | 3,480 | 1,980 | | 3 |
| Social Worker Office Exp. | 1,650 | 1,695 | 1,900 | | 4 |
| Contract/Professional Services | | | | | |
| Framingham Youth Guidance | -- | 30,500 | 28,695 | 25,537 | 5 |
| Mental Health Clinics | 30,500 | -- | -- | | 6 |
| Trinity Mental Health | 1,420 | -- | -- | | 7 |
| Parmenter Nursing Care | 109,359 | 112,661 | 116,133 | 113,506 | 8 |
| Mosquito Control | 12,700 | 12,700 | 12,700 | | 9 |
| Special Budget Items: | | | | | |
| Water Quality Study | 720 | 1,500 | 1,500 | | 10 |
| Hazardous Waste Mngmt. | 4,082 | 1,500 | 1,500 | | 11 |
| Surface Water Quality | 1,163 | -- | -- | | 12 |
| New Auto Social Worker | -- | 7,200 | -- | | 13 |
| Total Board of Health | 252,350 | 265,990 | 266,503 | 260,718 | |
| HIGHWAY | | | | | |
| Salaries: | | | | | |
| Highway Superintendent | 30,956 | 31,200 | 27,800 | | |
| Clerk Salary | 16,224 | 15,792 | 16,500 | | |
| Highway Labor Salary | 213,659 | 209,185 | 245,898 | | |
| Overtime, Labor | 34,739 | 39,000 | 39,000 | | |
| Total Salaries | 295,578 | 295,177 | 329,198 | 329,198 | 1 |
| Maintenance: | | | | | |
| Maintenance of Roads | 43,472 | 40,000 | 40,000 | | 2 |
| Maintenance of Equipment | 63,136 | -- | -- | | 3 |
| Highway Garage Maint. | 2,991 | -- | -- | | 4 |
| Snow Removal | 51,318 | 60,000 | 58,250 | 52,000 | 5 |
| Contract/Professional Services: | | | | | |
| Care of Landfill | 104,997 | 104,460 | 110,460 | 108,460 | 6 |
| Contract Sweeping | 17,900 | 20,000 | 18,000 | | 7 |
| Contract Basin Clean. | 9,750 | 12,000 | 10,000 | | 8 |

| | EXPENDED FY-1983 | APPROPRIATED FY 1984 | OVERRIDE REQUESTED FY 1985 | NON-OVERRIDE REQUESTED FY 1985 | ITEM NO. |
|---|---|---|---|---|---|
| Contract Line Painting | 3,498 | 8,000 | 5,000 | | 9 |
| Landfill Misc. | -- | 7,050 | 7,650 | | 10 |
| Sidewalk Construction | -- | 16,600 | -- | | 11 |
| Equipment: | | | | | |
| Equipment Misc. | 5,377 | 7,000 | 7,000 | | 12 |
| Front End Loader | 13,000 | -- | -- | | 13 |
| Equipment Rental Grader | 2,400 | -- | -- | | 14 |
| New Truck and Sander | -- | 49,000 | -- | | 15 |
| Maintenance | -- | 70,000 | 67,375 | 65,000 | 16 |
| New Backhoe | -- | -- | 55,000 | | 17 |
| Building Maintenance: | | | | | |
| Highway Garage Repair | 1,257 | 2,000 | 1,925 | 1,600 | 18 |
| Highway Garage Utilities | 20,131 | 21,000 | 20,220 | 17,040 | 19 |
| Other Garage Expense | -- | 3,000 | 2,880 | 2,400 | 20 |
| | 634,805 | 715,287 | 732,958 | 718,348 | |
| HIGHWAY-SEPTAGE FACILITY | | | | | |
| Salaries: | | | | | |
| Operator | 18,678 | 25,000 | 26,300 | | |
| Assistant Operator | -- | 20,000 | 21,600 | | |
| Fringe Benefits | -- | 22,000 | 5,000 | | |
| Sick, Vacation Coverage | -- | -- | 3,930 | | |
| Overtime | -- | -- | 7,000 | | |
| | 18,678 | 67,000 | 63,830 | 63,830 | 21 |
| Expense: | | | | | |
| Expense-Utilities | 5,859 | -- | 42,400 | | 22 |
| Expense-Miscellaneous | 214 | 5,000 | 5,000 | | 23 |
| Chemicals | -- | 45,000 | 45,000 | | 24 |
| Insurance | -- | 6,000 | 6,000 | | 25 |
| Equipment: | | | | | |
| Materials & Supplies | 781 | -- | 3,000 | | 26 |
| Maintenance | -- | 13,600 | 15,600 | | 27 |
| Energy | -- | 3,710 | 1,700 | | 28 |
| Building: | | | | | |
| Energy | -- | 9,900 | 10,000 | | 29 |
| Utilities | -- | 43,320 | 1,000 | | 30 |
| | 25,532 | 193,530 | 193,530 | 193,530 | |
| WELFARE (VETERANS) | | | | | |
| Vet. Benefit Appropr. | 20,463 | 14,300 | 7,500 | | 1 |
| Miscellaneous | 3,166 | 5,700 | 5,700 | | 2 |
| | 23,629 | 20,000 | 13,200 | 13,200 | |

| | EXPENDED FY-1983 | APPROPRIATED FY 1984 | OVERRIDE REQUESTED FY 1985 | NON-OVERRIDE REQUESTED FY 1985 | ITEM NO. |
|---|---|---|---|---|---|
| SCHOOLS | | | | | |
| Regular Instruction 1 | 4,287,174 | 4,514,778 | 4,774,595 | 4,678,595 | 1 |
| Special Instruction 2 | 1,161,244 | 1,251,902 | 1,325,133 | 1,325,133 | 2 |
| Instructional Serv. 3 | 860,264 | 953,324 | 1,085,807 | 1,013,807 | 3 |
| Operations Services 4 | 1,042,197 | 1,168,969 | 1,080,250 | 1,058,250 | 4 |
| Policy Admin. Serv. 5 | 309,325 | 324,590 | 341,672 | 341,672 | 5 |
| Out of State Travel 6 | 5,230 | 8,500 | 9,925 | 9,925 | 6 |
| | 7,665,434 | 8,222,063 | 8,617,382 | 8,427,382 | |
| REGIONAL VOCATIONAL SCHOOL | 111,772 | 138,569 | 85,581 | 85,581 | 7 |
| LIBRARY | | | | | |
| Salaries: | | | | | |
| Library Director | 23,644 | 23,950 | 26,100 | | |
| Administrative Assistant | 18,159 | 16,542 | 17,249 | | |
| Childrens Librarian | 19,679 | 21,755 | 22,618 | | |
| Additional Sunday Staff | 759 | -- | -- | | |
| Library Assistants | 74,545 | 75,070 | 60,192 | 55,900 | |
| Pages Salary | 7,046 | 8,844 | 8,844 | | |
| Clerks Salary | 16,628 | 6,564 | 7,763 | | |
| Custodian Salary | 10,924 | 12,451 | 14,010 | | |
| Reference Librarian | -- | 1,039 | 1,081 | 0 | |
| Tech. Services & Ref. | -- | 20,029 | 21,655 | | |
| Circulation Supervisor | -- | -- | 17,199 | | |
| | 171,384 | 186,244 | 196,711 | 191,338 | 1 |
| Operating Expense | 24,416 | 25,000 | 25,000 | | 2 |
| Out of State Travel | 500 | 500 | 500 | | 3 |
| Tuition Reimbursement | 495 | 500 | 500 | | 4 |
| Equipment | 703 | -- | -- | | 5 |
| Materials Purchase | 35,353 | 35,359 | 35,500 | | 6 |
| State Aid, Materials | 6,000 | 6,000 | 6,000 | | 7 |
| Refurbishing | 880 | 1,000 | 500 | 0 | 8 |
| Building Repairs | -- | 1,500 | -- | | 9 |
| Library Automation | -- | -- | 30,000 | | 10 |
| | 239,731 | 256,103 | 294,711 | 288,838 | |
| PARK & RECREATION | | | | | |
| Salaries: | | | | | |
| Superintendent | 29,097 | 29,900 | 32,900 | | |
| Labor (8) | 134,489 | 134,465 | 136,401 | | |
| Clerical Regular | 20,563 | 19,209 | 20,166 | | |
| Beach Supervisor | 2,677 | -- | -- | | |
| Specialists | 468 | 750 | 750 | | |
| Officials Salaries | 420 | 750 | 750 | | |
| Mini Camp Coordinator | -- | 500 | -- | | |
| Total Salaries | 187,714 | 185,574 | 190,967 | 190,967 | 1 |

| | EXPENDED FY-1983 | APPROPRIATED FY 1984 | OVERRIDE REQUESTED FY 1985 | NON-OVERRIDE REQUESTED FY 1985 | ITEM NO. |
|---|---|---|---|---|---|
| Expense: | | | | | |
| Repairs & Misc. | 18,720 | 29,170 | 33,120 | 32,120 | 2 |
| Materials & Supplies | 11,698 | 7,648 | 7,648 | | 3 |
| Uniform Expense | 2,195 | 2,800 | 2,350 | | 4 |
| Beach Expense | 1,895 | -- | -- | | 5 |
| Tree Planting | 826 | 1,000 | 2,000 | 1,000 | 6 |
| Building Repairs & Maint. | 4,275 | -- | -- | | 7 |
| Recorded Services | 375 | 400 | 400 | | 8 |
| Playground Apparatus Parts | 436 | 500 | 500 | | 9 |
| Travel & Dues Instate | 395 | 400 | 500 | | 10 |
| Travel Out of State | 663 | 750 | 850 | | 11 |
| Equipment: | | | | | |
| Misc. Small Equip. | 1,492 | 1,500 | 3,100 | 1,500 | 12 |
| Truck | 10,766 | 10,000 | -- | | 13 |
| Mower | 8,908 | -- | -- | | 14 |
| Repair Supplies & Equip. | 3,252 | 3,300 | 4,200 | 3,300 | 15 |
| Leaf & Snow Blower | -- | -- | 1,850 | | 16 |
| Mill Pond Vehicle | -- | -- | 1,000 | | 17 |
| Building Repairs, Lighting, etc. | -- | 2,000 | 2,000 | | 18 |
| Contract/Professional Services: | | | | | |
| Tree Trimming | 11,837 | 16,000 | 16,000 | | 19 |
| Public Works Expense | 5,084 | 5,103 | 5,603 | 5,103 | 20 |
| Dutch Elm Disease Exp. | 1,951 | 1,750 | 1,500 | | 21 |
| Park Cemetery Consultant | 1,867 | -- | -- | | 22 |
| Oil Beach Parking Lot | -- | -- | 1,300 | | [illegible] |
| Screener | -- | -- | 2,000 | 1,000 | 24 |
| | 274,349 | 267,895 | 276,888 | 270,888 | |
| Programs Paid Entirely From Fees: | | | | | |
| Fee Supported Programs | 57,765 | 54,975 | 80,508 | 80,508 | 25 |
| UNCLASSIFIED | | | | | |
| Insurance General | 168,227 | 177,000 | 168,000 | | 1 |
| Insurance 32B | 390,276 | 434,000 | 400,000 | | 2 |
| Unemployment Compensation | 24,606 | 25,000 | 40,000 | | 3 |
| Street Lighting | 66,802 | 67,000 | 67,000 | | 4 |
| Hydrant Rental | 16,000 | 16,000 | 16,000 | | 5 |
| Finance Committee Report | 10,369 | 10,000 | 10,000 | | 6 |
| Reserve Fund | -- | 170,000 | 121,360 | | 7 |
| Public Ceremonies | 1,196 | 1,200 | 1,200 | | 8 |
| Town Meeting Notices | 4,998 | 5,000 | 5,000 | | 9 |
| Surety Bonds | 1,000 | 1,000 | 1,000 | | 10 |
| Town Clocks | 80 | 200 | 200 | | 11 |
| Council on Aging | 7,398 | 7,210 | 7,426 | | 12 |
| Non Contributory Pension | 21,911 | 28,620 | 21,500 | | 13 |
| Pension Disability Account | 16,000 | 20,000 | 10,000 | | 14 |
| Pension Funding | 25,000 | 50,000 | 75,000 | | 15 |
| Occupational Health Nurse | -- | 9,500 | 9,500 | | 16 |
| Employee Assistance Program | -- | -- | 6,000 | | 17 |
| | 753,863 | 1,021,730 | 959,186 | 959,186 | |

| | EXPENDED FY-1983 | APPROPRIATED FY 1984 | OVERRIDE REQUESTED FY 1985 | NON-OVERRIDE REQUESTED FY 1985 | ITEM NO. |
|---|---|---|---|---|---|
| DEBT AND INTEREST | | | | | |
| Interest: | | | | | |
| Bond Anticipation Notes Misc. | 6,490 | 15,000 | 15,000 | | 1 |
| Bond Anticipation Notes Exempted | -- | -- | 35,000 | | 2 |
| FAAN | 18,698 | 18,117 | 2,500 | | 3 |
| Anticipation Revenue | 1,633 | 10,000 | 10,000 | | 4 |
| Schools: | | | | | |
| 1972-1,050,000 School | 22,500 | 20,250 | 18,000 | | 5 |
| 1976-900,000 School | 22,072 | 17,167 | 12,263 | | 6 |
| New Town Building | 45,006 | 36,218 | 27,432 | | 7 |
| Multi Purpose Bond Issue 1984 | -- | 45,243 | 28,050 | | 8 |
| Old Conn Path Paydown-Exempted | -- | -- | 21,112 | | 9 |
| Maturing Debt: | | | | | |
| 1972-1,050,000 School | 45,000 | 45,000 | 45,000 | | 10 |
| 1976-900,000 School | 90,000 | 90,000 | 90,000 | | 11 |
| New Town Building | 185,000 | 185,000 | 185,000 | | 12 |
| Bond Issue Sale Expense | -- | 12,000 | 15,000 | | 13 |
| Multi Purpose Bond Issue 1984 | -- | -- | 125,000 | | 14 |
| Registered Bond Transfer Cost | -- | -- | 1,200 | | 15 |
| | 436,399 | 493,995 | 630,557 | 630,557 | |
| GRAND TOTAL | 13,082,367 | 14,289,951 | 15,077,757 | 14,814,435 | |

## ARTICLE 5. COMPENSATION OF ELECTED OFFICERS

Proposed by: Board of Selectmen

Estimated Cost: $26,275

Article 5. To see if the Town will fix the salary and compensation of all elected officers of the Town pursuant to G.L. Chapter 41, Section 108, to be effective July 1, 1984, which salary and compensation are printed in Appendix C of the Warrant for the April 4, 1984 Annual Town Meeting.

COMMENTS: The salary recommendations are as indicated in the budget. The Finance Committee recommends that they be made effective July 1, 1984. Appendix "C" of this report sets forth the individual salaries.

RECOMMENDATION: The Finance Committee recommends approval of the Article.

QUANTUM OF VOTE: Majority - see Mass. G.L. Ch. 41, Sec. 108

## ARTICLE 6. TO APPROPRIATE FOR WATER DEPARTMENT

Proposed by: Water Commissioners

Article 6. To see if the Town will appropriate a sum of money for the Water Department to be expended pursuant to the authority of the Water Commissioners; to determine whether such appropriation shall be provided by taxation, by appropriation from available funds, by transfer of funds already appropriated for another purpose, by borrowing under the authority of the General Laws, or otherwise; or take any action relative thereto.

COMMENTS: This Article provides funds according to the proposed budget below for the operation of the Water Department for the coming Fiscal Year 1985.

WATER DEPARTMENT

| | EXPENDED FY 1983 | APPROPRIATED FY 1984 | RECOMMENDED FY 1985 |
|---|---|---|---|
| **Salaries:** | | | |
| Commissioners (3) | 225 | 225 | 225 |
| Superintendent | 28,790 | 30,500 | 32,600 |
| Labor | 109,504 | 122,689 | 129,966 |
| Town Office | 26,205 | 28,329 | 30,389 |
| | 164,724 | 181,743 | 193,180 |
| Maintenance | 130,346 | 199,590 | 203,850 |
| **Equipment** | | | |
| 1/2 Ton Truck | 5,914 | -- | 7,500 |
| New Base Radio | 3,000 | -- | -- |
| **Special Budget Items** | | | |
| New Well & Pumping Station | -- | 15,000 | 10,000 |
| Meter Renewal | 5,000 | 5,000 | 10,000 |
| Purge Wells | 19,775 | 25,000 | -- |
| Test Wells | 7,547 | -- | -- |
| TOTAL WATER DEPT. | 336,306 | 426,333 | 424,530 |

RECOMMENDATION: The Finance Committee recommends approval of the Article.

QUANTUM OF VOTE: Majority - see Mass G.L. Ch. 40, Sec. 5, Ch. 44, Sec. 33B

## ARTICLE 7. TRANSFER OF FUNDS - WATER DEPARTMENT

Proposed by: Water Commissioners

Estimated Cost: $80,400

Article 7. To see if the Town will appropriate a sum of money to be expended by the Water Commissioners for certain additional maintenance or capital improvement projects of the Water Department for Fiscal Year 1985, and to determine whether such money shall be provided by taxation, by appropriation from available funds, by transfer of funds already appropriated for another purpose, by borrowing under the authority of the General Laws, or otherwise; or take any action relative thereto.

COMMENTS: This Article was inserted in the Warrant by the Water Department to see if the Town will transfer funds to pay for the cost of cleaning the inside of the Town's 2,000,000-gallon storage tank and the cost of installing an 8" main on West Plain Street running to the corner of King Street for improvement of hydrant flow in this area, which is now fed by a 4" main.

ARGUMENTS OPPOSED: Maintenance expenditures can be deferred in in times of fiscal stringency.

ARGUMENTS IN FAVOR: Cleaning storage tanks is a necessary protective measure. Improvement of hydrant flow will respond to legitimate concerns of the neighborhood.

RECOMMENDATION: The Finance Committee recommends approval of the Article.

QUANTUM OF VOTE: Majority - see Mass. G.L. Ch. 40, Sec. 5, Ch. 44, Sec. 33B

## ARTICLE 8. COMPUTER EQUIPMENT FOR SCHOOLS

Proposed by: School Committee

Estimated cost: $40,000

Article 8. To see if the Town will appropriate a sum of money to be expended by the School Committee for the acquisition of additional new instructional computer equipment to be used by the School Department; and to determine whether such money shall be provided for by taxation, by appropriation from available funds, by transfer of funds already appropriated for another purpose, by funds received as grants from the Commonwealth or Federal government, by borrowing under the provisions of the General Laws, or otherwise; or take any action relative thereto.

COMMENTS: This Article was inserted in the Warrant by the School Committee to see if the Town will continue to support a computer-literacy program already underway in the school system, by providing funds for the purchase of additional microcomputers. The language of the Article and the text of these comments follows closely Article 6, approved at the 1983 Annual Town Meeting.

The procurement and use of this equipment follows a long-range School Committee plan entitled Report and Recommendations for Instructional Computer Applications. The overall goal for this program is to ensure that Wayland students at all levels develop familiarity and skills with computers in a variety of applications so as to position them competitively as they enter what has become a computer-intensive society.

The plan projects capital expenditures totalling approximately $126,000 over three years in order to bring the level of computer equipment up to the point where there will be adequate facilities to meet the needs of the program. Funding has been provided under Town appropriations at the last two annual Town Meetings, together with Federal grants and PTO gifts.

In fiscal year 1983, six Apple personal computers were purchased with $15,000 from the School Budget and $6,791 in grant and gift monies.

In fiscal year 1984, $40,000 in Town funds and $12,000 in grant and gift monies made possible the purchase of another 23 Apple machines.

The purchases made during these two years have completely equipped Grades K-8.

This is the third and final year of the plan, for which $40,000 is being requested. It is expected to be supplemented by another $12,000 in grant and gift funds, enabling the purchase of equipment for the High School.

The Finance Committee believes that the Wayland school system is taking a responsible approach to fulfill its requirement for student computer literacy.

ARGUMENTS OPPOSED: The tight financial constraints on the Town in the forthcoming year are not amenable to the purchase of school computer equipment.

ARGUMENTS IN FAVOR: Experience gained in the first two years has already substantiated the merits of the plan. Suspension of the plan in its last year, affecting an entire segment of the school system, is unwise.

RECOMMENDATION: The Finance Committee recommends approval of the Article.

QUANTUM OF VOTE: Majority - see Mass. G.L. Ch. 40, Sec. 5, Ch. 44, Sec. 33B

## ARTICLE 9. EMPLOY PLANNING ADMINISTRATOR

Proposed by: Planning Board

Article 9. To see if the Town will appropriate a sum of money to engage and employ a Planning Administrator; to determine whether such an appropriation shall be provided by taxation, by appropriation from available funds, by transfer of funds aleady appropriated for another purpose, or otherwise; and to determine what Town officer, board, or committee or combination of them shall be authorized to expend the money appropriated therefor; or take any action relative thereto.

COMMENTS: This Article was inserted in the Warrant by the Planning Board for the purpose of establishing and funding a new part-time position in the Town government to provide staff support to the Planning Board at a cost next year of a maximum of $15,000. The five-member Planning Board carries a heavy workload, having responsibility for development of the Town's Zoning By-Laws. In addition, it has legal responsibility for the approval of subdivisions and site plans. Under the law, the Planning Board's failure to act within 60 days in response to a request is deemed approval of the plans as submitted. Thus, developers or others wishing Planning Board approval can require the Planning Board to drop other more important matters in order to evaluate their application in a timely manner. The review and approval process is typically complicated and requires close working relationships with other boards, lawyers, owners, engineers, and so forth. The Town has been fortunate, indeed, that the heavy schedule of the Planning Board has been handled entirely by Planning Board members, but the cost to the members has been heavy. As a result, many Planning Board members have been unwilling to serve more than one term on a committee where continuity and the long view of Town development is important.

The position contemplated by the Article will be part-time and the prospective incumbent will coordinate Planning Board activities with other boards and applicants, and prepare material and documents for Planning Board meetings. The time and energies of Planning Board members will be freed from administrative details, thus permitting more time for policy issues.

ARGUMENTS OPPOSED: The Town does not need another administrator, even part-time, and particularly in a year of such severe budget pressures.

ARGUMENTS IN FAVOR: Administrative staff support is necessary in volunteer community government for those boards facing heavy agendas and legal responsibilities.

RECOMMENDATION: The Finance Committee recommends approval of the Article if the 2 1/2 override referendum has been approved by the voters. If the override has not been approved, then the Finance Committee recommends only $5,000 for part-time secretarial support.

QUANTUM OF VOTE: Majority-see Mass. G.L. Ch. 40, Sec. 5, Ch. 44, Sec. 33B

## ARTICLE 10. LANDSCAPE MCMANUS PROPERTY

Proposed by: Board of Selectmen and McManus Committee

Estimated Cost: Up to $10,000

Article 10. To see if the Town will vote a sum of money for the purposes of planning, site preparation and landscaping for the former McManus property, shown as Parcels A and B on Plate No. 23 of the Town Atlas and acquired by the Town under Article 10 of the November 1981 Special Town Meeting, and adjacent Town property; to determine whether such appropriation shall be provided by taxation, by appropriation from available funds, by transfer of funds already appropriated for another purpose, or otherwise; to authorize acceptance of grants or gifts for said purposes; and to determine what Town board or committee shall be authorized to expend the money appropriated therefor; or take any action relative thereto.

COMMENTS: Under this Article, the Board of Selectmen and the McManus Committee request funding for site preparation and landscaping of the former McManus property now owned by the Town, identified as Parcels A and B on the accompanying map, and located in Wayland Center at the intersection of Pelham Island Road West and Boston Post Road (Route 20). The parcels contain about 20,000 square feet of land.

The Selectmen and the Committee also request that the Committee be designated to oversee this work and that it be provided funding to complete the task assigned to it.

After extensive study, including analysis of findings of the Metropolitan Area Planning Council,of a traffic survey,and of the Wayland Sidewalk Committee and a public hearing, the Committee is ready to proceed with work on the property. This will entail grading, partial demolition of the old foundation, placing of curbs or berms around the property, construction of a sidewalk and planting of grass and possibly shrubs.

In addition to overseeing the work on the McManus property itself, the Committee's second funding request is to enable it to complete its charge from the Board of Selectmen which reads, in part: "to study the former McManus property and adjacent land and buildings and recommend a plan to the Board of Selectmen which will enhance the appearance of our Town Center, improve traffic flow and be harmonious to neighborhood uses."

The Committee has identified the entrance to the Town Building from Pelham Island Road and the triangle of land in the Town Center, the site of the Mellen Law Office, as areas which should be improved. (See

accompanying map). The Committee will report its findings and recommendations for improvement of these two areas, including compliance with Conservation conditions regarding wetland protection, to the Selectmen. The Committee expects that it will also recommend further enhancement of the McManus property.

In the course of its work, the Committee determined that little of the traffic exiting from Pelham Island Road makes a left turn onto Boston Post Road and has been forced to conclude that most of the traffic going west passes over private property, either through the adjoining lot or though the Shopping Center. After extensive study of the alternatives, the Committee has concluded that traffic cannot be lured from those routes by a route through or around the property. The Committee is thus recommending that the work proposed under this Article be done with no cut-through on the property.

The Committee expects the Sudbury Valley Trustees will contribute a sum of money to help defray the costs of the project. Complete details of how the funding will be allocated and the total amount needed will be presented at Town Meeting.

ARGUMENTS OPPOSED: The Article does not seriously address the issue of left-hand turns from the end of Pelham Island Road West, which still rely upon private property as the principal thoroughfare for west-bound traffic. The Conservation conditions will impose a financial burden on the project.

ARGUMENTS IN FAVOR: The Article proposes action that will be effective in preparing short and long-term solutions for the landscaping of the property and the enhancement of the Town Center. The traffic problem should be dealt with in the context of the larger issue of the Town Center, by the Planning Board.

RECOMMENDATION: The Finance Committee recommends approval of the Article.

QUANTUM OF VOTE: Majority - see Mass. G.L. Ch. 40, Sec. 5, Ch. 44, Sec. 33B

ARTICLE 10. LANDSCAPE MCMANUS PROPERTY

## ARTICLE 11. MAPPING OF THE TOWN'S AQUIFER AREAS

Proposed by: Conservation Commission

Estimated Cost: $18,500

Article 11. To see if the Town will appropriate a sum of money to be expended by the Conservation Commission for the purpose of engaging professional services to conduct a Town-wide aquifer mapping study; and to determine whether such appropriation shall be provided by taxation, by appropriation from available funds, by transfer of funds already appropriated for another purpose, by borrowing under the authority of the General Laws, or otherwise; or take any action relative thereto.

COMMENTS: Under this Article, $18,500 would be appropriated to provide funds for the mapping by consultants of the Town's aquifer areas. These areas provide the ground water for the Town's wells and water supply. The map will identify those areas that need to be protected and will permit the later adoption by the Town of an Aquifer Protection By-Law. Such a by-law would operate much like flood plain zoning, placing special controls upon or prohibiting development of land areas which could damage ground water supplies.

ARGUMENTS OPPOSED: The study will lead to yet another law to be enforced and further limit the rights of individual landowners. It calls for expenditures of a significant sum of money before any vote by the Town on the desirability of adopting any such controls.

ARGUMENTS IN FAVOR: The study is a necessary preliminary move towards protection of our water supply. It is only a study and no zoning controls could be adopted without subsequent vote by Town Meeting.

RECOMMENDATION: The Finance Committee recommends approval of the Article.

QUANTUM OF VOTE: Majority - see Mass. G.L. Ch. 40, Sec. 5, Ch. 44, Sec. 33B

## ARTICLE 12. INSTALL LINER AND LEACHATE COLLECTION SYSTEM AT LANDFILL

Proposed by: Road Commissioners

Estimated Cost: $100,000 - 300,000 to be funded through the sale of Town bonds

Article 12. To see if the Town will appropriate a sum of money to be expended by the Road Commissioners to install an impervious liner and leachate collection system at the sanitary landfill; and to determine whether such money shall be provided for by taxation, by appropriation from available funds, by transfer of funds already appropriated for another purpose, by funds received as grants from the Commonwealth or Federal government, by borrowing under the authority of the General Laws, or otherwise; or take any action relative thereto.

COMMENTS: This Article appropriates money to install an appropriate liner and leachate collection system for the next cell of the landfill. According to Highway Department estimates, the landfill will reach its current capacity within the next six months. The State Department of Environmental Quality Engineering (DEQE) has notified the Town that in order to obtain a permit for the expansion of the landfill, the installation of an impervious liner will be required at the base of the proposed expansion area to collect the leachate which would otherwise seep into the ground. A further requirement is installation of a mechanism which will collect the leachate thus trapped and allow for its removal and possible reprocessing through the landfill.

Pursuant to Article 7 of the December 1983 Special Town Meeting, the Road Commissioners have hired a consultant to design the necessary plans and specifications. Simultaneously, the Selectmen have reconvened the Committee to Study Solid Waste Disposal Alternatives which, in conjunction with the Road Commissioners, is currently studying the DEQE requirements as well as alternatives to the use of the landfill. The Finance Committee expects that they will make a presentation of their findings to the Annual Town Meeting.

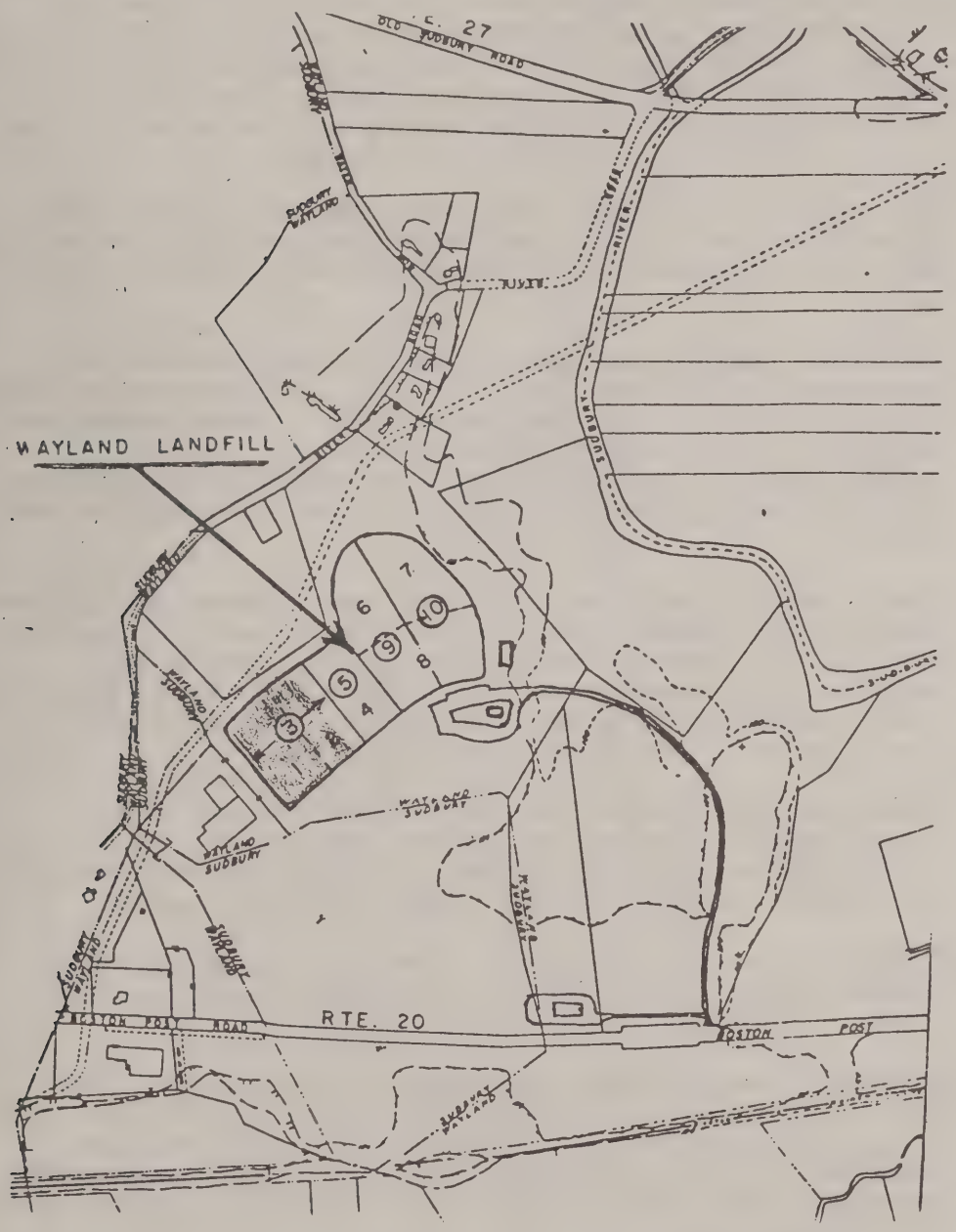
Because regulations have not yet been issued by the DEQE governing landfills, the Road Commissioners and their consultant were unable to present detailed plans in time for inclusion in this Warrant. The Finance Committee anticipates that the Commissioners will present their findings and recommendations to the Town Meeting when the Article is discussed.

ARGUMENTS OPPOSED: Insufficient data prevents formulation of arguments.

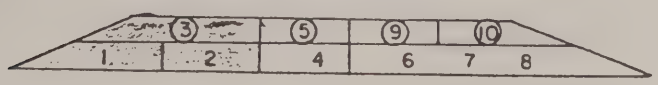
ARGUMENTS IN FAVOR: Insufficient data prevents formulation of arguments.

RECOMMENDATION: The Finance Committee cannot make a recommendation on this Article until all the pertinent information has been gathered and analyzed. The Committee expects to make its recommendation at the Annual Town Meeting.

QUANTUM OF VOTE: If funded by borrowing, two-thirds - see Mass. G.L. Ch. 44, Sec. 7. Otherwise, majority - see Mass. G.L. Ch. 40, Sec. 5, Ch. 44, Sec. 33B




X-Sectional View
Of Cell Locations



## ARTICLE 13. RECONSTRUCT PORTION OF STONEBRIDGE ROAD

Proposed by: Road Construction Committee

Estimated Cost: $250,000 to be funded through the sale of Town bonds

Article 13. To see if the Town will appropriate a sum of money to be expended by the Road Construction Committee for the construction, reconstruction and/or improvement of Stonebridge Road, including the construction of a walkway, from Anthony Road to Old Stonebridge Road; to determine whether such money shall be provided for by taxation, by appropriation from available funds, by transfer of funds already appropriated for another purpose, by funds received as grants from the Commonwealth or Federal government, by borrowing under the authority of the General Laws, or otherwise; or take any action relative thereto.

COMMENTS: The expenditure under this Article represents the final step in the process begun at the 1983 Annual Town Meeting regarding the reconstruction of Stonebridge Road.

It is estimated that the reconstruction would be completed by October, 1984. The reconstruction costs will be met by long-term borrowing. These costs are estimated to be approximately $250,000, which, if repaid over a ten-year period at prevailing interest rates, would average seven cents per year on the tax rate.

The Finance Committee believes these expenditures are financially prudent and follow the intent to upgrade Wayland's roads, as expressed by the voters in accepting the report of the Road Policy Study Committee and by creating the Road Construction Committee (Article 13, 1982 Annual Town Meeting).

The plans that have been developed reflect the neighborhood's concerns. There appears to be neighborhood support for the reconstruction because of the severe safety hazards that currently exist.

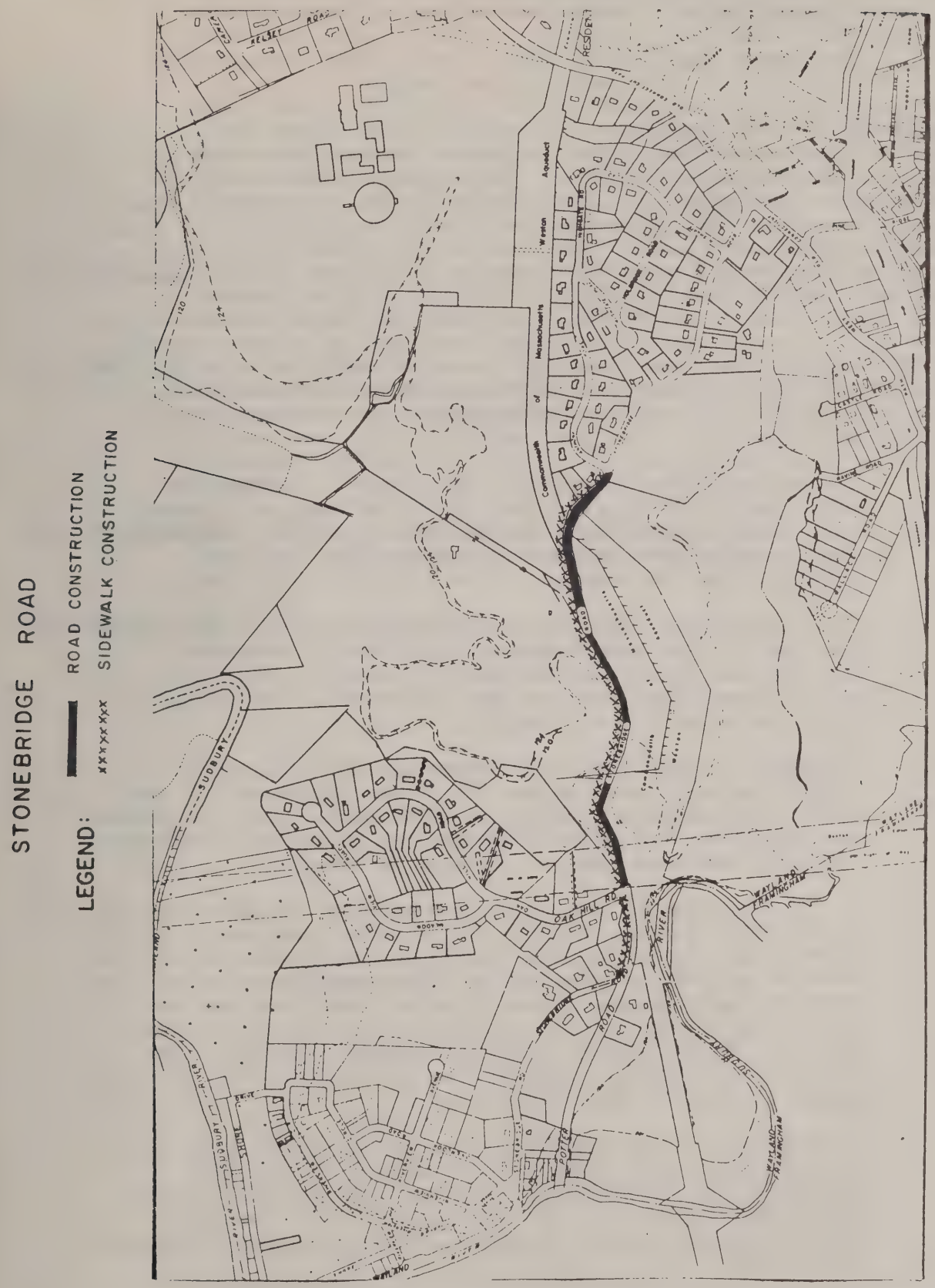
ARGUMENTS OPPOSED: In a time of tight financial constraints, expenditure of funds for the reconstruction of the Town's roads represents a burden on the Town.

ARGUMENTS IN FAVOR: The Town has indicated a serious concern about the condition of the roads in Town through its support of the Road Policy and Road Construction Committee. This road has been identified as having major problems and is near the top of the priority list for repair.

RECOMMENDATION: The Finance Committee recommends approval of the Article, contingent upon passage of the road debt exclusion referendum.

QUANTUM OF VOTE: Two thirds for borrowing - see Mass. G. L. Ch. 44, Sec. 7

## ARTICLE 13. RECONSTRUCT PORTION OF STONEBRIDGE ROAD



## ARTICLE 14. RECONSTRUCT PORTIONS OF PLAIN ROAD, MILLBROOK ROAD AND CLAYPIT HILL ROAD

Proposed by: Road Construction Committee

Estimated Cost: $700,000 to be funded through the sale of Town bonds

Article 14. To see if the Town will appropriate a sum of money to be expended by the Road Construction Committee for the construction, reconstruction and/or improvement, including the construction of walkways, of the following roads: (i) Plain Road from Boston Post Road to Millbrook Road, (ii) Millbrook Road from Plain Road to Glen Road, and (iii) Claypit Hill Road from Plain Road to a point approximately 500' northwest of the southernmost intersection with the road leading to Claypit Hill School; to determine whether such money shall be provided for by taxation, by appropriation from available funds, by transfer of funds already appropriated for another purpose, by funds received as grants from the Commonwealth or Federal government, by borrowing under the authority of the General Laws, or otherwise; or take any action relative thereto.

COMMENTS: The expenditures under this Article will fund the reconstruction of portions of Plain Road, Millbrook Road, and Claypit Hill Road. The funds for further design of these roads were approved at the 1983 Special Town Meeting.

The development of plans that would meet the needs and desires of the neighborhood and other interested parties has become a difficult problem to resolve. The major issue dividing the various parties involved has been the issue of sidewalks.

A number of abutters are concerned that addition of sidewalks will compromise the rural character of the road. The opposing point of view holds that sidewalks are required for pedestrian safety, especially school children who must now be bussed to school.

It is anticipated that an amendment to the main motion under this Article will be made to exclude mention of sidewalks. In this way, the issue of sidewalks can be debated and voted separately from consideration of the road reconstruction. The Finance Committee has not taken a position on the sidewalk issue at this time, pending the scheduled March 14 public hearing. The Committee strongly supports the reconstruction of these roads as a major Town priority.

If the Town votes approval, the final plans will be completed by May; bids will go out in June, and construction will begin in July. The present plans anticipate completion of the Claypit Hill section before school starts, in time for any changes in school bus routes.

It is estimated that this program will be completed by October, 1984. The reconstruction costs, $700,000, will be funded by long-term borrowing, which, if repaid over a ten-year period at prevailing interest rates, would add an average of 20 cents to the tax rate per year.

The Finance Committee believes these expenditures are financially prudent and follow the intent to upgrade Wayland's roads, as expressed by the voters in accepting the report of the Road Policy Committee and by creating the Road Construction Committee (Article 13, 1982 Annual Town Meeting).

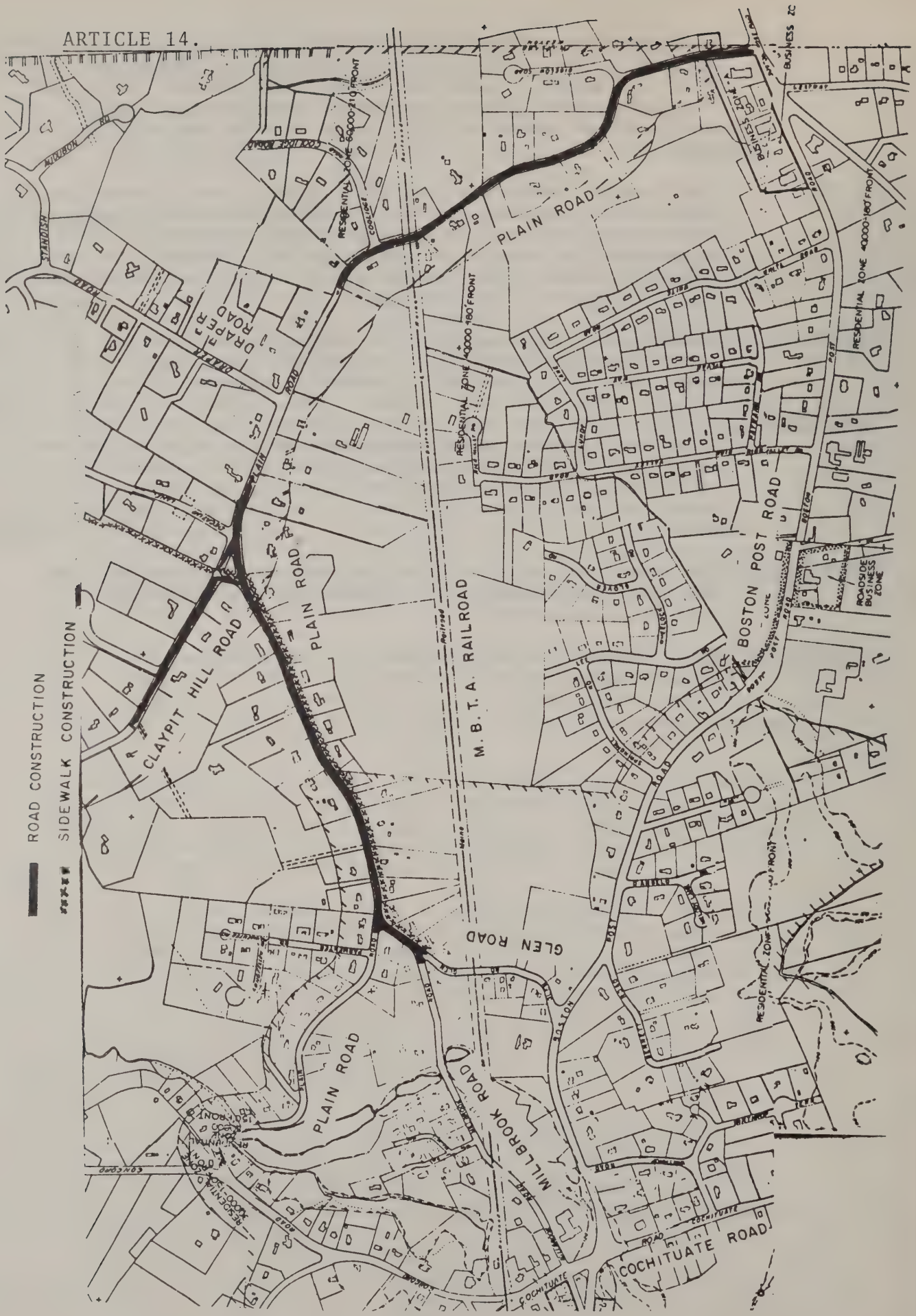
ARGUMENTS OPPOSED: In a time of tight financial constraints, expenditure of funds for the reconstruction of the Town's roads represents a burden on the Town.

ARGUMENTS IN FAVOR: The Town has indicated a serious concern about the condition of the roads in Town through its support of the Road Policy and Road Construction Committee. These roads have been identified as major problems and are at the top of the priority list for repair.

RECOMMENDATION: The Finance Committee recommends approval of the Article, contingent upon passage of the road debt exclusion referendum.

QUANTUM OF VOTE: Two-thirds for borrowing - see Mass. G.L. Ch. 44, Sec. 7

ARTICLE 14.


ROAD CONSTRUCTION
SIDEWALK CONSTRUCTION
CLAYPIT HILL ROAD
PLAIN ROAD
DRAPER ROAD
PLAIN ROAD
M. B. T. A. RAILROAD
GLEN ROAD
MILLBROOK ROAD
COCHITUATE ROAD
BOSTON POST ROAD
PLAIN ROAD
RESIDENTIAL ZONE 60000-210' FRONT
RESIDENTIAL ZONE 40000-180' FRONT
RESIDENTIAL ZONE 40000-180' FRONT
BUSINESS ZONE
ROADSIDE BUSINESS ZONE
RESIDENTIAL ZONE

## ARTICLE 15. DESIGN OF SHERMAN'S BRIDGE ROAD

Proposed by: Road Construction Committee

Estimated Cost: $50,000 to be funded through the sale of Town bonds

Article 15. To see if the Town will appropriate a sum of money to be expended by the Road Construction Committee for the planning, engineering and design of the proposed reconstruction and improvement, including proposed construction of appurtenant walkways, of Sherman's Bridge Road from Concord Road to Sherman's Bridge at the Sudbury town line; to determine whether such money shall be provided for by taxation, by appropriation from available funds, by transfer of funds already appropriated for another purpose, by funds received as grants from the Commonwealth or Federal government, by borrowing under the authority of the General Laws, or otherwise; or take any action relative thereto.

COMMENTS: This Article and the Article which follows seek authorization with funding sufficient to design Sherman's Bridge and the road in Wayland bearing its name. Both the bridge and the road are cited in the Report of the Road Policy Study Committee as being in advanced stages of deterioration. While the total scope of the work to be performed involves both the design and the reconstruction of both the bridge and the road, these Articles address only the design effort.

This Article seeks $50,000 for the design of Sherman's Bridge Road. If financed by borrowing over a five-year period, it would add an average of 2.5 cents to the tax rate per year.

If approved, design activities will commence as soon after July 1, 1984 as is practicable, with public hearings scheduled as the work progresses. Assuming this schedule, authorization to borrow reconstruction funds for Sherman's Bridge Road will be sought at the 1985 Annual Town Meeting.

It is estimated that the design phase could be completed by June 1985, with reconstruction commencing later that summer. Reconstruction could not proceed unless such expenditure was authorized by the voters at the 1985 Annual Town Meeting. If approved, the work would be financed by long-term borrowing. Assuming an expenditure of approximately $400,000 to be repaid over a ten-year period at prevailing interest rates, the indebtedness would add an average of 14 cents per year to the current tax rate.

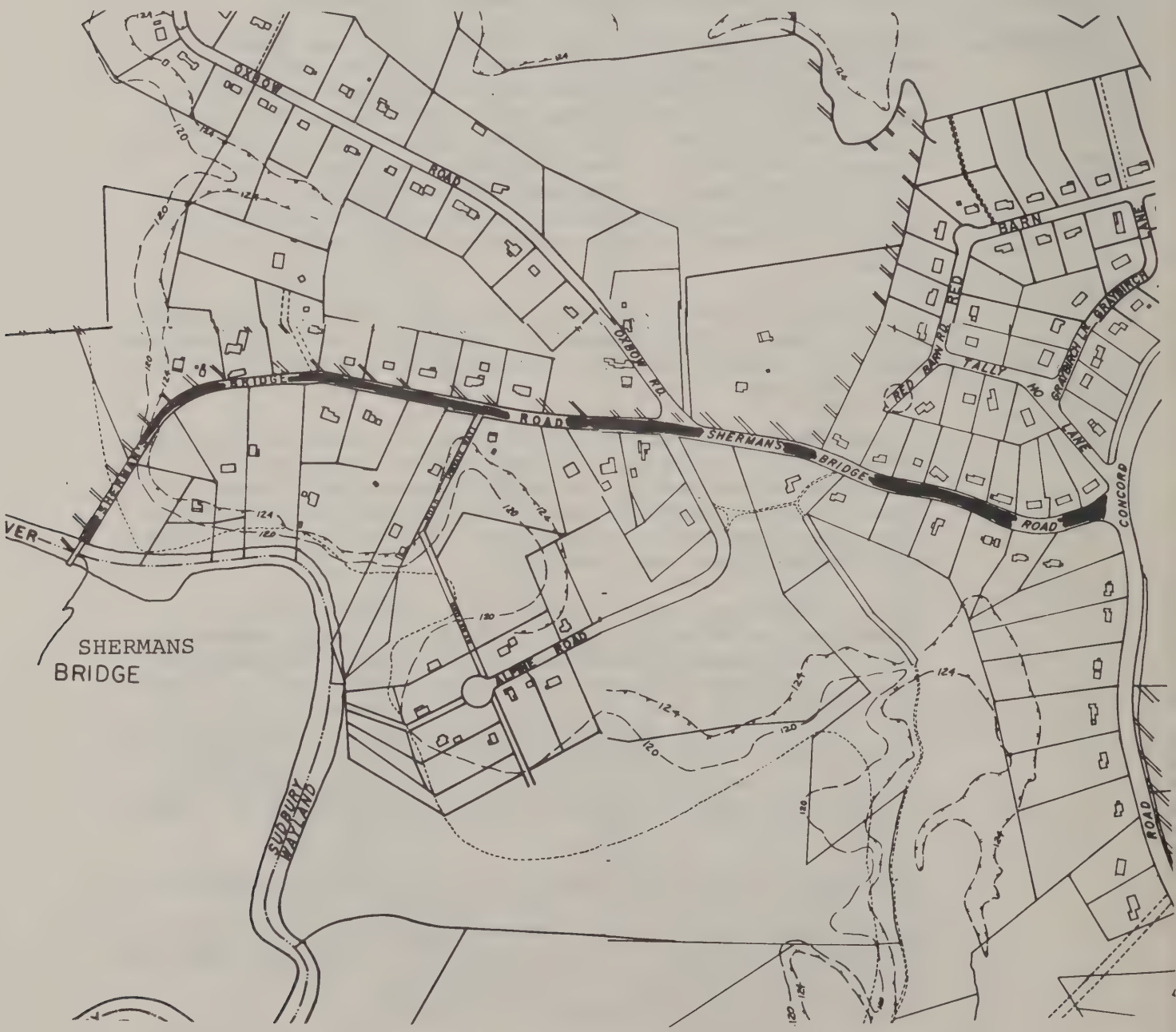
The Finance Committee believes that these expenditures are financially prudent and follow the intent to upgrade Wayland's roads, as expressed by the voters in accepting the report of the Road Policy Study Committee and by creating the Road Construction Committee (Article 13, 1982 Annual Town Meeting).

ARGUMENTS OPPOSED: In a time of tight financial constraints, expenditure of funds for the design of the Town's roads represents a burden on the Town.

ARGUMENTS IN FAVOR: The Town has indicated a serious concern about the condition of the roads in Town through its support of the Road Policy and Road Construction Committees. This road has been identified as a major problem and is at the top of the priority list for repair.

RECOMMENDATION: The Finance Committee recommends approval of the Article, contingent upon passage of the road debt exclusion referendum.

QUANTUM OF VOTE: Two-thirds for borrowing - see Mass. G.L. Ch. 44, Sec. 7



## ARTICLE 16. DESIGN OF SHERMAN'S BRIDGE

Proposed by: Road Construction Committee

Estimated Cost: $50,000 to be funded through the sale of Town bonds

Article 16. To see if the Town will appropriate a sum of money as the Town's share of the costs of planning, engineering and design for the proposed reconstruction and improvement of the highway bridge known as Sherman's Bridge over the Sudbury River in the Towns of Wayland and Sudbury, said costs to be shared equally by the Towns of Wayland and Subury; to determine whether such money shall be provided for by taxation, by appropriation from available funds, by transfer of funds already appropriated for another purpose, by funds received as grants from the Commonwealth or Federal government, by borrowing under the authority of the General Laws, or otherwise; and to determine what Town board, committee or officer or combination of them shall be authorized to expend the money appropriated therefor and under what conditions; or take any action relative thereto.

COMMENTS: Comments under the previous Article provide an overview of the work to be performed. The design and reconstruction of Sherman's Bridge will be undertaken jointly with the Town of Sudbury.

The necessary bridge design work is expected to be completed on a schedule compatible with that of the design of Sherman's Bridge Road. Bridge construction costs may be 100% reimbursable from the Commonwealth, although our placing on the State's priority list of bridges is not high.

The $50,000 required to fund the design work will be financed by borrowing which, if repaid over a five-year period at prevailing interest rates, would add an average of 2.5 cents to the tax rate per year.

ARGUMENTS OPPOSED: If the bridge is ultimately not repaired, design money would be wasted.

ARGUMENTS IN FAVOR: Having a finished design for a new bridge is a strong argument for obtaining financial assistance for the subsequent reconstruction project.

RECOMMENDATION: The Finance Committee recommends approval of the Article, contingent upon passage of the road debt referendum

QUANTUM OF VOTE: Two-thirds for borrowing - see Mass. G.L. Ch. 44, Sec. 7

## ARTICLE 17. DESIGN OF PINEBROOK ROAD AND A PORTION OF OLD CONNECTICUT PATH EAST

Proposed by: Road Construction Committee

Estimated Cost: $32,000 to be funded through the sale of Town bonds

Article 17. To see if the Town will appropriate a sum of money to be expended by the Road Construction Committee for the planning, engineering and design of the proposed reconstruction and improvement, including proposed construction of appurtenant walkways, of the following roads: (i) Pinebrook Road from Old Connecticut Path East to Route 20, and (ii) a portion of Old Connecticut Path East from the intersection of Rice Road and Pinebrook Road westerly for a distance of approximately 850 feet; and to determine whether such money shall be provided for by taxation, by appropriation from available funds, by transfer of funds already appropriated for another purpose, by funds received as grants from the Commonwealth or Federal government, by borrowing under the authority of the General Laws, or otherwise; or take any action relative thereto.

COMMENTS: This Article seeks to provide funds for the design of Pinebrook Road, the intersection of Pinebrook, Rice Road and Old Connecticut Path East, and the last remaining stretch of Old Connecticut Path East runnning from the intersection westerly for a distance of approximately 850 feet. The design of these roads is presented as a package since there is a drainage problem which runs through the entire area. Funds for the reconstruction of the last section of Old Connecticut Path East were appropriated at the April 1982 Town Meeting. Funds for the reconstruction of Pinebrook will be sought at a subsequent Town Meeting if this Article is approved.

The design cost, $32,000, will be funded, along with other design and reconstruction costs, with long-term borrowing. If repaid over a five-year period at prevailing interest rates, the costs would add an average of 1.5 cents to the tax rate per year.

The Finance Committee believes that these expenditures are financially prudent and follow the intent to upgrade Town roads previously expressed by the voters.

ARGUMENTS OPPOSED: In a time of tight financial constraints, expenditure of funds for the design of the Town's roads represents a burden on the Town.

ARGUMENTS IN FAVOR: The Town has indicated a serious concern about the condition of the roads in Town through its support of the Road Policy and Road Construction Committees. These roads have been identified as major problems and are at the top of the priority list for repair.

RECOMMENDATION: The Finance Committee recommends approval of the Article, contingent upon passage of the road debt exclusion referendum.

QUANTUM OF VOTE: Two-thirds for borrowing - See Mass. G.L. Ch. 44, Sec. 7

## ARTICLE 18. RESURFACE PEMBERTON ROAD, HARRISON STREET, BRADFORD STREET AND SHAWMUT AVENUE

Proposed by: Road Commissioners

Estimated Cost: $104,250

Article 18. To see if the Town will appropriate a sum of money to be expended by the Road Commissioners to stabilize and resurface Pemberton Road from West Plain Street to Route 30 and to resurface Harrison Street, Bradford Street and Shawmut Avenue each as running from Pemberton Road to Main Street; and to determine whether such money shall be provided for by taxation, by appropriation from available funds, by transfer of funds already appropriated for another purpose, by funds received as grants from the Commonwealth or Federal government, by borrowing under the authority of the General Laws, or otherwise; or take any action relative thereto.

COMMENTS: Each year, the Road Commissioners present one or more road projects which comply with State requirements and for which we receive 75% reimbursement. The Road Construction Committee endorses this project.

RECOMMENDATION: The Finance Committee recommends approval of the Article.

QUANTUM OF VOTE: Majority - see Mass. G.L. Ch. 40, Sec. 5, Ch. 44, Sec. 33B

ARTICLE 19. RESURFACE A PORTION OF SCHOOL STREET

Proposed by: Road Commissioners

Estimated Cost: $18,300

Article 19. To see if Town will appropriate a sum of money to be expended by the Road Commissioners to resurface School Street from Main Street to the intersection of Loker Street; and to determine whether such money shall be provided for by taxation, by appropriation from available funds, by transfer of funds already appropriated for another purpose, by funds received as grants from the Commonwealth or Federal government, by borrowing under the authority of the General Laws, or otherwise; or take any action relative thereto.

COMMENTS: Each year, the Road Commissioners present one or more road projects which comply with State requirements and for which we receive 75% reimbursement. The Road Construction Committee endorses this project.

RECOMMENDATION: The Finance Committee recommends approval of the Article.

QUANTUM OF VOTE: Majority - see Mass. G.L. Ch. 40, Sec. 5, Ch. 44, Sec. 33B

ARTICLE 20. INSTALLATION OF DRAINAGE - PECK AVENUE

Proposed by: Road Commissioners

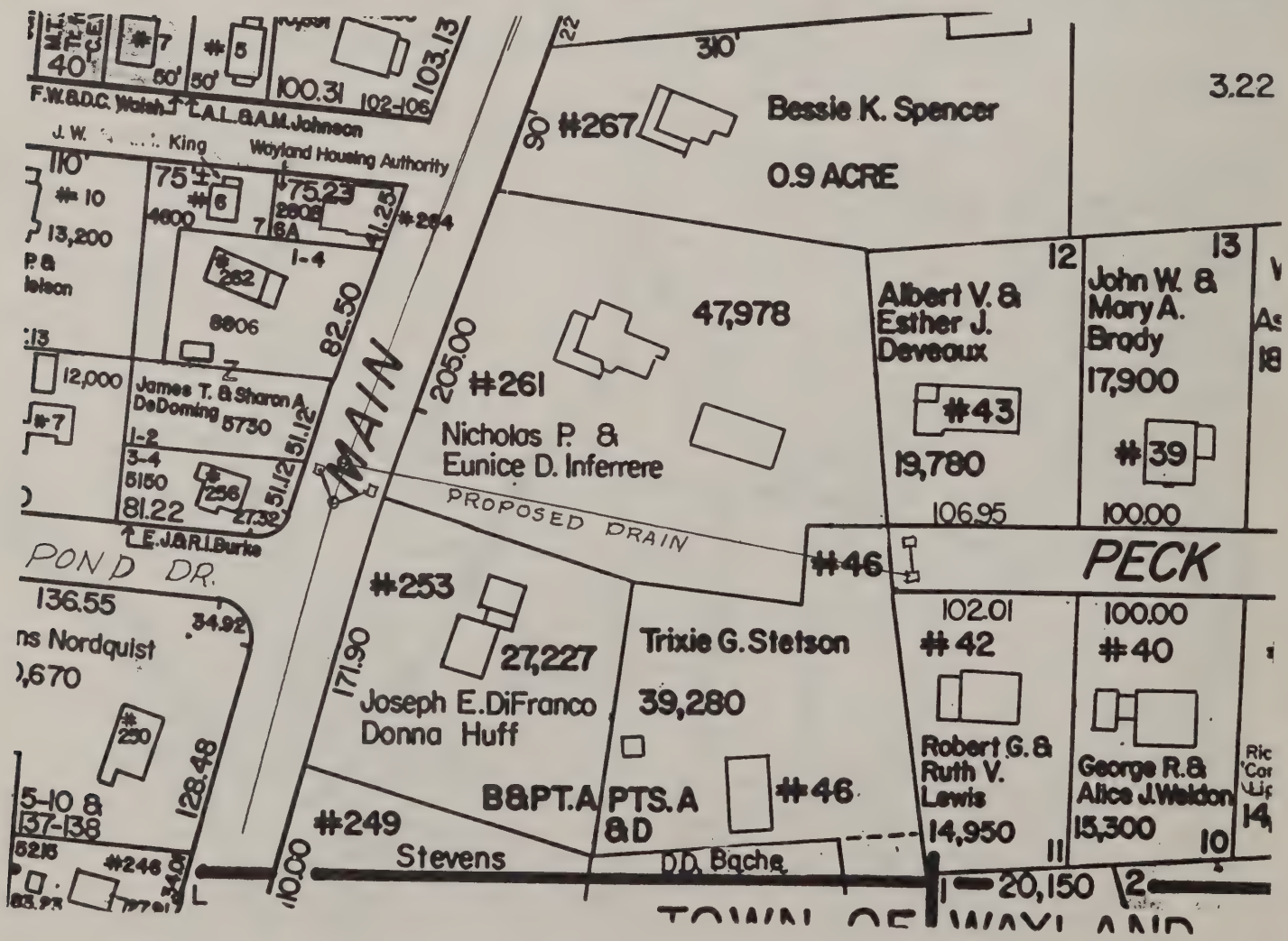
Estimated Cost: $7,500

Article 20. To see if the Town will appropriate a sum of money to be expended by the Road Commissioners to install approximately 325' of drainage from the end of Peck Avenue to Main Street; and to determine whether such money shall be provided for by taxation, by appropriation from available funds, by transfer of funds already appropriated for another purpose, by borrowing under the authority of the General Laws, or otherwise; or take any action relative thereto.

COMMENTS: The Road Commissioners will remedy a long-standing problem if this Article is approved.

RECOMMENDATION: The Finance Committee recommends approval of the Article.

QUANTUM OF VOTE: Majority - see Mass. G.L. Ch. 40, Sec. 5, Ch. 44, Sec. 33B



## ARTICLE 21. RECODIFICATION OF ZONING BY-LAWS

Proposed by: Board of Selectmen and Zoning By-Law Committee

Article 21. To see if the Town will amend its Zoning By-Laws as currently in effect by deleting the text portion thereof in its entirety and substituting therefor a proposed recodification and reorganization of the Zoning By-Laws prepared by the Zoning By-Law Committee appointed pursuant to vote of the June, 1981 Special Town Meeting, which recodification and reorganization is printed as Appendix G of the Warrant for the April 4, 1984 Annual Town Meeting; or take any action relative thereto.

COMMENTS: This Article has been inserted into the Warrant by Selectmen and the Zoning By-Law Committee to see if the Town will replace the existing Zoning By-Laws with a set of recodified By-Laws prepared by the Committee.

The Zoning By-Law Committee was created by Article 5 of the June 1981 Special Town Meeting and was charged to draft "A reorganization or restructuring of the Zoning By-Laws;" and to do so so "...that they will be more understandable to a layman; have logical groupings; and generally enable a person to read what must be done, step by step, to comply with the Zoning By-Laws".

The Committee has completed an extensive process of rearranging and regrouping the existing By-Laws so that all parts of the By-Laws that apply to similar subjects are together. The process was one of cutting and pasting together existing sections of the By-Laws. Considerable care was taken to retain the original language. A quick review of the Table of Contents will show how the proposed By-Laws would be structured and the relative ease with which the various topics can be found.

The review process has involved a wide range of interests within the Town. It has included reviews by the Committee itself, Town Counsel, members of the Planning Board and other Town Boards, a number of citizens of the Town having expertise or interest in the By-Laws, and has been presented at three different hearings.

The adoption of this set of recodified By-Laws does not in any respect change the Zoning map of the Town.

This recodification effort is believed to be the first such effort in 50 years since the By-Laws were adopted. In 1972 there was a compilation activity that was adopted by Town Meeting which brought together all the amendments to the By-Laws that had been made over the years. The proposed Zoning By-Laws are printed at the end of the Warrant as Appendix G.

ARGUMENTS OPPOSED: Inconsistencies between the recodified By-Laws and the existing By-Laws might be found by postponing adoption and pursuing further review.

ARGUMENTS IN FAVOR: The Zoning By-Law Committee has fulfilled the charge given to it by Town Meeting, and the work represents a substantial improvement in the format of the Zoning By-Laws and should be adopted at this time. If it proves necessary to make further improvements in clarity or substance, changes can be proposed and adopted.

RECOMMENDATIONS: The Finance Committee recommends approval of the Article.

QUANTUM OF VOTE: Two-thirds - see Mass. G.L. Ch. 40A, Sec. 5

ARTICLE 22. ACQUIRE BOWLES LAND

Proposed by: Conservation Commission

Estimated Cost: $129,000

Article 22. To see if the Town will acquire for conservation purposes, including outdoor recreation, by purchase, eminent domain, gift or otherwise, the fee or any lesser interest in all or any portion of certain lands in Wayland, located on Plates 51d and 52 of the Town Atlas and shown on a plan entitled "Plan of Land in Wayland, Mass. Showing Portions of Lands Proposed to be Acquired by the Town of Wayland" dated March 2, 1984 by the Wayland Engineering Department, which plan is on file with the Town Clerk, and being more particularly described as follows:

Beginning at a stone bound on the southerly sideline of French Street, 191.45 feet southeasterly of the intersection of said sideline and the southerly sideline of Commonwealth Road, thence

| | |
|---|---|
| S 04-11-06 W, | one hundred five and 54/100 (105.54) feet, thence |
| S 05-07-09 E, | one hundred sixty-eight and 68/100 (168.68) feet, thence |
| S 78-57-29 E, | one hundred fifty-six and 45/100 (156.45) feet, thence |
| S 80-14-18 E, | ninety-one and 66/100 (91.66) feet, thence |
| Northerly, | two hundred fifty (250) feet more or less to land of Paul and Dorothy Daly, thence |
| Easterly, | seventy-five and one-half (75 1/2) feet (Deed Dist.) more or less by land of said Paul and Dorothy Daly, to land of William Kenney and Mary Daly, thence |
| Southeasterly, | one hundred eleven and one-half (111 1/2) feet by land of Kenney and Daly and land of Gordon and Wilma Shedo, thence |
| Easterly, | one hundred fifty and 8/10 (150.8) feet, by land of Gordon and Wilma Shedo and by land of Anne M. Treadwell and Jerome D. Smith, thence |
| Northerly, | twenty-three (23) feet more or less to land of Farese Realty Trust, thence |
| Easterly, | four hundred sixty-six (466) feet more or less by land of said Trust, thence |
| Southerly, | four hundred thirty-five (435) feet more or less by land of said Trust to land of the Commonwealth of Massachusetts, Cochituate Aqueduct, thence |

| | |
|---|---|
| Westerly, | seven hundred ten (710) feet by land of the Commonwealth of Massachusetts, thence |
| Northwesterly, | one hundred sixty-three and one-half (163 1/2) feet by land of the Commonwealth of Massachusetts, thence |
| Southerly, | seventy-seven (77) feet by land of the Commonwealth of Massachusetts, thence |
| Southwesterly, | one hundred forty-four (144) feet by land of the Commonwealth of Massachusetts, thence |
| Westerly, | one hundred forty-two (142) feet by land of the Commonwealth of Massachusetts, thence |
| Northwesterly, | sixty-six (66) feet by land of Lama Realty Trust, thence |
| Westerly, | eighty (80) feet by land of Lama Realty Trust, thence |
| Northwesterly, | two hundred eighty-five (285) feet more or less by land of Lama Realty Trust to land of Clifford and Elizabeth Shay, thence |
| Northeasterly, | one hundred forty and 54/100 (140.54) feet by land of said Shay, thence |
| Northerly, | two hundred sixty-six and 25/100 (266.25) feet by land of said Shay to the southerly sideline of Commonwealth Road, thence |
| Northeasterly, | one hundred fifty-nine and 68/100 (159.68) feet, along the southerly sideline of Commonwealth Road to the southerly sideline of French Street, thence |
| Southeasterly, | one hundred ninety-one and 45/100 (191.45) feet by the southerly sideline of French Street to the point of beginning. |

to determine whether the Town will appropriate money therefor, to be provided by taxation, by appropriation from available funds, by transfer of funds already appropriated for another purpose, by borrowing under the General Laws, or otherwise, and to authorize the Conservation Commission on behalf of the Town to apply or contract for and accept any State or Federal aid or aid from any other public or private sources for the purposes of this Article; or take any action relative thereto.

COMMENTS: The tract of land to be acquired under this Article consists of two parcels of land, 4.66 acres owned by Regina M. Bowles and 9.7 acres owned by Thomas W. Bowles. As can be seen from the accompanying map, the land has frontage on both Commonwealth Road and French Avenue. Snake Brook runs very near and roughly parallel to the southern boundary of both of these parcels on the abutting property which is the former Cochituate Aqueduct land now owned by the Commonwealth of Massachusetts.

These parcels of land have been included in the Land Conservation Plan since 1967 as one of several adjoining parcels proposed to be acquired along Snake Brook. This land has good recreational potential and some of this land has recently been in agricultural use. It is the intention of the Conservation Commission to continue agricultural use as one of its management objectives.

ARGUMENTS OPPOSED: The acquisition of this land competes with other activities for limited Town funds, and may be a lesser priority.

ARGUMENTS IN FAVOR: This Article follows the Conservation Master Plan which has been approved by the Town and given high priority in the past.

RECOMMENDATION: The Finance Committee recommends approval of the Article.

QUANTUM OF VOTE: Majority - see Mass. G.L. Ch. 40, Sec. 8C; see also vote under Article 16 of 1983 Annual Town Meeting (Note: If eminent domain is requested, a two-thirds vote is required under Ch. 40, Sec. 8C)

ARTICLE 22.

MAP SHOWING THE BOWLES LAND PROPOSED FOR ACQUISITION UNDER ARTICLE ____.

Existing Town-Owned Land.

Possible Future Acquisitions Shown On Land-Conservation Plan.

Land To Be Acquired Under This Article.

## ARTICLE 23. AMEND BY-LAWS - PROCEDURE AT TOWN MEETING

Proposed by: Town Meeting Advisory Committee

Article 23. To see if the Town will amend Article 2 of its By-Laws, entitled "Procedure at Town Meeting", by adding thereto the following new Section 8:

> "Section 8. Each person who shall offer a motion to act affirmatively upon any of the subjects set forth in the Warrant for an Annual or Special Town Meeting shall declare to the voters present at said Town Meeting that said motion is identical word-for-word with the substantive portion of the article then under consideration as printed in the Warrant or shall point out all differences in wording between the motion offered and the substantive portion of the article; otherwise, said motion shall not be debated, amended, or acted upon; provided, however, that if the voters shall vote to pass said motion, the failure of the moving party to comply with the requirements of this Section shall not invalidate their act."

and to see if the Town will adopt the following resolution:

> That this Town Meeting assembled requests that all officials, boards, commissions, committees, and other governmental bodies which insert articles in the Warrant, as well as all petitioners, strive to inform Town Meeting members of any motion(s) differing from the article as printed in the Warrant by:
>
> (1) Preparing the motion(s) in time for the Warrant hearing and making copies available to persons attending the hearing, and
>
> (2) Posting the motion(s) at the Town Building and the two Libraries no less than seven (7) days prior to Town Meeting, and
>
> (3) Providing copies of the motion(s) at Town Meeting before the article is to be considered.

or take any action relative thereto.

COMMENTS: This Article was inserted in the Warrant by the Town Meeting Advisory Committee, to see if the Town will enact a new By-Law requiring a statement of clarification of any differences between an Article printed in the Warrant and the motion to take action under said Article.

The Town Meeting Advisory Committee was charged by the 1982 Annual Town Meeting with the task of studying Town Meeting procedures and recommending ways to improve voter understanding and participation. The Committee received significant community feedback regarding the

confusion that results when motions differ from the printed articles. This Article is an attempt to address those concerns in two ways, each of which will be the subject of a motion:

1) enact a By-Law requiring that the differences between the Article and the motion be declared when the motion is offered

2) affirm the desire of Town Meeting to have printed copies of the motions available ahead of time and available at Town Meeting

The Finance Committee fully supports the intent of this Article and the need for greater clarification on Town Meeting floor, but feels that the problem should be addressed at an administrative rather than legislative level. There is already a surfeit of By-Laws governing Town Meeting preparation and process - we don't need yet another one. By-Laws are enforced by means of penalties levied against offenders, and compliance can be subject to legal interpretation. This approach is too rigid for an issue that can be resolved procedurally.

Instead, a better approach would leave the matter to the discretion of the Town Moderator with the differences being pointed out when important and substantive. The Finance Committee hopes that a "sense of the meeting" vote will make this suggestion to the Moderator. The Finance Committee will assist in every way with the implementation of such a policy, if adopted.

Regarding the three-step process proposed in the second part of this Article, the voters should be aware that motions available at the time of the Warrant Hearing would be in draft form only, because one of the primary purposes of the hearing is the airing of issues which may impact the motions to be offered on the floor of Town Meeting. This introduces a risk that the motion on the floor will differ from the printed motion as well as from the printed Article. However, the draft motions can certainly be made available if the Town is willing to bear the printing expense.

ARGUMENTS IN FAVOR: The Article addresses the concerns of citizens regarding the differences between articles and motions and the need for Town Meeting members to have a clear understanding of them.

ARGUMENTS OPPOSED: The objective of the Article can be accomplished as a matter of procedure, and does not require a by-law.

RECOMMENDATION: The Finance Committee does not recommend approval of the Article.

QUANTUM OF VOTE: Majority - see Mass. G.L. Ch. 40, Sec. 21

## ARTICLE 24. ESTABLISH TOWN MEETING PROCEDURES COMMITTEE

Proposed by: Petitioners

Estimated Cost: $1,000

Article 24. To see if the Town will establish a committee to be known as the Town Meeting Procedures Committee in accordance with the following provisions:

1. The purpose of the Committee shall be to compile and organize, without making substantive changes, existing Wayland Town Meeting practice and rules of procedure, taking cognizance of applicable laws of the Commonwealth of Massachusetts and By-Laws of the Town of Wayland.

2. In fulfilling its charge, the Committee shall endeavor to prepare a document that is useful to Town Meeting members--one that is comprehensible and accessible to voters, especially those new to or unfamiliar with Town Meeting. The document is intended to serve as a guide to Wayland Town Meeting and not as a legal authority. As such, the document shall not impose upon or impair the Moderator's statutory authority to preside over and regulate the proceedings, to decide all questions of order, and to make public declaration of all votes.

3. The Committee shall present such a document to voters for their approval at the 1985 Annual Town Meeting, or as soon thereafter as may be practical.

4. The Committee shall consist of five members who are registered voters of the Town of Wayland, two of whom shall be appointed by the Moderator, one by the Board of Selectmen, one by the Finance Committee, and one by the League of Women Voters of Wayland.

5. The Committee shall be authorized to obtain professional advice in its drafting work, including assistance of Town Counsel, and to expend funds as may be authorized for this purpose.

6. The Committee shall hold at least one public meeting prior to seeking approval of Town Meeting in order to present formally its draft document to the Town, invite comment from voters, and have opportunity to make revisions.

And to see if the Town will appropriate a sum of money to fund the activities of the Committee and to determine whether such appropriation shall be provided by taxation, by appropriation from available funds, by transfer of funds already appropriated for another purpose, or otherwise; or take any action relative thereto.

COMMENTS: This Article proposes that the Town Meeting establish a Town Meeting Procedures Committee. The Article was inserted in the Warrant by petitioners who wanted a reasonably comprehensive, but concise, advisory guide to Wayland's Town Meeting. The booklet would incorporate some of the present League of Women Voters Handbook on Town Meeting and some of the present Annual Warrant's "Some Pertinent Information About Wayland's Town Meeting Procedures" with some relevant laws and by-laws that are often referred to on Town Meeting Floor. This document would have no legal standing, and it would not change the role of the Moderator, who, by Massachusetts law, is the final authority at Town Meeting. It is intended to be a guide to a person attending Town Meeting to help him/her better understand and follow the Town Meeting process. The appropriation under this Article would provide for a limited review by Town Counsel to check for any misstatements of law and possibly other professional services.

The petitioners would like this booklet ready for presentation to the 1985 Annual Town Meeting, but it is possible that this may be too big an undertaking to accomplish in just one year. Before it is presented to Town Meeting, a hearing would be held to solicit ideas and comments from the townspeople. The Committee would then bring the document to the next Town Meeting and seek approval for funding to print copies of the booklet.

It is the intent of the petitioners that this document be available at Town Meeting, the Libraries, and the Town Clerk's Office.

ARGUMENTS OPPOSED: The League of Women Voters Handbook is comprehensive enough. We do not need to spend time or money to duplicate their effort. A truly comprehensive guide book would be much too large and lengthy for the average attendee to read and use.

ARGUMENTS IN FAVOR: Town Meeting is a form of government that is 200 years old. Many residents do not attend Town Meeting as they find the procedures too difficult and intimidating to follow. The purpose of this booklet would be to alleviate those concerns and in so doing increase interest and attendance at Town Meeting.

RECOMMENDATION: The Finance Committee recommends approval of the Article.

QUANTUM OF VOTE: Majority

## ARTICLE 25. UNPAID SEPTAGE DISPOSAL BILLS - LIENS

Proposed by: Operational Review Committee

Article 25. To see if the Town will direct the Board of Selectmen, acting together with the Board of Selectmen of the Town of Sudbury, to support a petition to the General Court on behalf of the Operational Review Committee of the Wayland/Sudbury Septage Disposal Facility for the enactment of legislation which, as to each city, town or sewerage district which subsequently accepts the same, would provide in effect that if such city, town or sewerage district, in order to defray the costs of constructing, operating and maintaining facilities for the receipt and disposal of privy, cesspool and septic tank contents, assesses a charge for such receipt and disposal directly upon the owner or tenant of real estate from which such contents have been collected and such charge is not paid on or before the due date thereof, then such charge, together with interest thereon and costs relative thereto, shall be a lien upon such real estate which shall take effect and be enforced substantially in the same manner as provided for sewer liens and charges pursuant to Section 16B through F of Chapter 83 of the General Laws; or take any action relative thereto.

COMMENTS: This Article was inserted in the Warrant by the Operational Review Committee (ORC) of the Wayland/Sudbury Septage Disposal Facility, to see if the Town will approve setting in motion the steps necessary to allow unpaid septage disposal bills to become liens against real estate property, in the same manner as unpaid water bills.

The billing procedure adopted by the Committee provides that the pumper use a multipart form, which will be collected from the pumper at the plant when the septage is unloaded. These forms will be given to the Town Treasurer, who will then send a bill to the property owner. The property owner should expect to pay two bills - one from the pumping contractor for the service provided, and one from the Town for use of the Septage Facility for disposal. At this writing, the fee for disposal is expected to be $35 per thousand gallons.

Present State law permits unpaid water and sewer bills to become liens on property. This Article proposes that the Selectmen file legislation which would allow the same to be true of unpaid septage disposal bills. The plan gives the Town substantial leverage in the collection process.

An identical Article is being presented to the Sudbury Town Meeting.

ARGUMENTS OPPOSED: If an alternative billing mechanism were adopted requiring advance payment of the septage fee by the pumper instead of the homeowner, there would be no need to deal with unpaid bills at all.

ARGUMENTS IN FAVOR: This proposal protects the Town against the

loss of revenue from unpaid septage bills, and is an important step towards realization of the goal of having the Septage Facility support itself.

RECOMMENDATION: The Finance Committee recommends approval of the Article.

QUANTUM OF VOTE: Majority

ARTICLE 26. ACCEPT GIFTS

Proposed by: Town Counsel

Article 26. To see if the Town will accept property which has been tendered to it as a gift, bequest, devise or otherwise, including any or all of the property more fully described below:

(a) Drainage easements in certain portions of Lots 11 and 13C shown on a plan entitled "Plan of Land in Wayland, Mass., Property of Devens H. and James M. Hamlen," dated September 26, 1983, revised October 11, 1983, by Schofield Brothers, Inc., which easement areas are described in a deed of easement from Devens H. and James M. Hamlen to the Town, dated January 23, 1984, said plan and deed of easement being on file with the Town Clerk.

(b) Drainage easement in a certain portion of Lot 7 shown on Land Court Plan 16568F filed with the South Middlesex Registry District of the Land Court, which easement area is described in a deed of easement from Devens H. Hamlen, Edward H. Linde and Mortimer B. Zuckerman, Trustees of Mainstone Associates Trust, to the Town, dated January 23, 1984, said deed and an accompanying plan depicting the same being on file with the Town Clerk.

(c) Drainage easement in a certain portion of land standing in the name of Herbert F. Jr. and Eleanor M. Johnson, shown on Plate 34 of the Town Atlas and described in an instrument recorded as document 499 on October 12, 1983 and on a plan recorded as Plan 1137 of 1983 in the South Middlesex Registry District of the Land Court, said plan and deed of easement being on file with the Town Clerk,

or take any action relative thereto.

COMMENTS: This is the regular Article by which the Town accpts gifts or conveyances. The Town is especially grateful for the gift of Mr. and Mrs. Herbert F. Johnson, Jr. whose generous act made possible the solution of a drainage problem in the reconstruction of Old Connecticut Path East.

ARGUMENTS OPPOSED: None heard by Finance Committee.

ARGUMENTS IN FAVOR: These gifts are valuable to the Town.

RECOMMENDATION: The Finance Committee recommends acceptance of the gifts in accordance with the recommendations of Town Counsel.

## ARTICLE 27. AUTHORIZE TREASURER TO BORROW

Proposed by: Board of Selectmen

Estimated Cost: $10,000

Article 27. To see if the Town will authorize the Treasurer, with the approval of the Selectmen, to borrow monies from time to time in anticipation of the revenue of the fiscal year beginning July 1, 1984 in accord with the provisions of G.L. Chapter 44, Section 4, and Chapter 849 of the Acts of 1969, both as amended, and to issue a note or notes therefor, payable within one year, and to renew any note or notes that may be given for a period of less than one year in accord with the provisions of G.L. Chapter 44, Section 17, as amended.

COMMENTS: This Article provides for short-term borrowing in case of need pending collection of real estate taxes.

RECOMMENDATION: The Finance Committee recommends approval of the Article.

QUANTUM OF VOTE: Majority - see Mass. G.L. Ch. 44, Sec. 4

## ARTICLE 28. AUTHORIZE SELECTMEN TO SELL OR TRADE

Proposed by: Board of Selectmen

Article 28. To see if the Town will authorize the Selectmen to sell or otherwise dispose of certain vehicles, equipment, or other personal property in connection with the purchase of new equipment or otherwise; or take any action relative thereto.

COMMENTS: Authorization by a vote of the Town is necessary in order to sell, trade or otherwise dispose of Town property valued at $200 or more. The following items are scheduled for disposal in 1985:

POLICE DEPARTMENT
Three (3) 1983 Ford LTD Four-door Marked Sedans
One (1) 1979 Ford LTD Four-door Unmarked Sedan

FIRE DEPARTMENT
One (1) 1975 Modulance Type 1 Class 1 Ambulance

HIGHWAY DEPARTMENT
One (1) 1974 Hyster Compactor

WATER DEPARTMENT
One (1) 1982 Ford F-100 1/2-Ton Pickup Truck

Funds for the purchase of new equipment for which the items listed above will be traded or sold are provided in the budgets of the individual departments.

ARGUMENTS OPPOSED: None considered

ARGUMENTS IN FAVOR: If budgets have been approved authorizing purchase of vehicles, it is necessary to provide for disposal of the vehicles they replace.

RECOMMENDATION: The Finance Committee recommends approval of the Article.

QUANTUM OF VOTE: Majority

## ARTICLE 29. TRANSFER OF FUNDS

Proposed by: Finance Committee

Article 29. To see what sum, if any, the Town will transfer from available funds to meet any of the appropriations made under the foregoing Articles.

QUANTUM OF VOTE: Majority - see Mass. G.L. Ch. 44, Sec. 33B

APPENDIX A

ADMNISTRATIVE AND PROFESSIONAL SALARIES

| POSITION TITLE | DATE OF APPOINTMENT | SALARY 7/1/83 | SALARY 7/1/84 |
|---|---|---|---|
| Executive Secretary | November 24 | $38,500 | $42,400 |
| Admin.Fin.Serv./Pers. | March 12 | 36,700 | 39,600 |
| Administrative Asst. | September 8 | 18,200 | 19,700 |
| Fire Chief | March 19 | 35,400 | 38,200 |
| Police Chief | February 9 | 33,500 | 36,200 |
| Town Accountant | June 25 | 32,600 | 35,800 |
| Highway Supt. | August 1 | 31,050 | 27,800* |
| Park & Rec. Supt. | October 31 | 29,800 | 32,800 |
| Water Superintendent | April 1 | 30,200 | 30,200** |
| Det'd Social Worker | August 16 | 30,400 | 32,100 |
| Treasurer/Collector | March 4 | 23,800 | 25,700 |
| Town Surveyor | April 12 | 29,800 | 29,800** |
| Bldg./Zoning Inspector | July 3 | 24,700 | 26,400 |
| Library Director | August 19 | 23,800 | 25,950 |
| Conservation Admin. | October 5 | 20,500 | 22,140 |
| Data Processing Mgr. | May 31 | 28,300 | 30,800 |
| Dog Officer | April 30 | 14,350 | 15,500 |
| Super. of Jt. Comm. | April 8 | 14,800 | 15,400 |
| Chief Operator W/S Septage Plant | October 11 | -- | 23,000 |

*New incumbent in position

**Will be reviewed on anniversary of date of appointment

## APPENDIX B

## ADMINISTRATIVE SALARY SCHEDULES

| NON-UNION POSITIONS | FY 1984 | FY 1985 |
|---|---|---|
| Superintendent of Schools | $58,300 (+$2,500 Annuity) | $ 61,800 (+$2,500 Annuity) |
| Asst. Supt./Personnel | 47,750 | 50,600 |
| Business Administrator | 40,600 | 43,050 |
| Director of Programs | 42,800 | 45,400 |
| Director of Food Services | 17,500(a) | 18,550 |
| Director of Special Education | 38,500 | 40,800 |
| Coordinator of Special Education | 31,000 | 32,800 |

| UNIONIZED POSITIONS(c) | FY 1984 | FY 1985 |
|---|---|---|
| High School Principal | $47,000 | $40,280-52,810(b) |
| Junior High Principal | 43,000 | 40,280-52,810(c) |
| Elementary Principals | 42,000 | 38,160-47,192(c) |
| High School Asst. Principal | 41,000 | 37,100-46,068(c) |
| High School Asst. Principal | 38,800 | 37,100-46,068(c) |
| Junior High Asst. Principal | 37,100 | 37,100-46,068(c) |

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(a) The position of Director of Food Services is no longer included within the School Budget. It is supported by cafeteria receipts.

(b) Under the terms of the collective bargaining agreement, the School Committee has reserved the right to set a different salary range for the new High School Principal effective July 1, 1985.

(c) Ranges are established by collective bargaining and will be in effect for two years. Individual placement within the range is recommended by the Superintendent to the School Committee following annual performance appraisals in June.

APPENDIX B - Continued

TEACHERS' SALARY SCHEDULES

| Step | Year | Bachelor | B+15 | Master | M+30 | M+60 | Ph.D. |
|---|---|---|---|---|---|---|---|
| 1 | 1985 | 16,356 | 16,750 | 17,342 | 18,128 | 18,915 | 20,488 |
| 2 | 1985 | 17,142 | 17,536 | 18,228 | 19,112 | 19,899 | 21,475 |
| 3 | 1985 | 17,932 | 18,323 | 19,112 | 20,095 | 20,880 | 22,455 |
| 4 | 1985 | 18,720 | 19,112 | 19,995 | 21,080 | 21,863 | 23,439 |
| 5 | 1985 | 19,505 | 19,899 | 20,880 | 22,061 | 22,848 | 24,422 |
| 6 | 1985 | 20,291 | 20,683 | 21,767 | 23,011 | 23,834 | 25,404 |
| 7 | 1985 | 21,080 | 21,471 | 22,652 | 24,029 | 24,815 | 26,391 |
| 8 | 1985 | 21,863 | 22,258 | 23,537 | 25,011 | 25,801 | 27,374 |
| 9 | 1985 | 22,653 | 23,045 | 24,422 | 25,997 | 26,784 | 28,358 |
| 10 | 1985 | 23,439 | 23,834 | 25,311 | 26,979 | 27,765 | 29,343 |
| 11 | 1985 | 27,222 | 27,406 | 27,480 | 27,966 | 28,752 | 30,325 |
| 12 | 1985 | | | 28,062 | 28,949 | 29,734 | 31,309 |
| 13 | 1985 | | | 31,007 | 34,114 | 36,232 | 37,899 |

| LEADERSHIP STIPENDS | FY 1984 | FY 1985 |
|---|---|---|
| Department Heads 9-12 | $2,600 | $2,800 |
| Department Heads K-12 | 2,800 | 3,000 |
| Team Leaders K-5: Math & Language Arts | 2,600 | 2,800 |
| Science | 1,400 | 2,300 |
| House Leaders 6-8 | 1,800 | 1,910 |
| Curriculum Leaders 6-8 | 1,950 | 2,100 |
| Dir. of Phys. Ed. & Athletics K-12 | 3,350 | 3,700 |
| Asst. Dir. of Phys. Ed. & Athletics K-12 | 3,200 | 3,400 |

| CO-CURRICULAR ACTIVITIES | | FY 1984 | FY 1985 |
|---|---|---|---|
| Athletic Coaching: | Group I | $3,200 | Rates for |
| | Group II | 2,635 | 1984/85 have |
| | Group III | 2,060 | not yet been |
| | Group IV | 1,500 | determined |
| Other Activities: | Group I | 1,890 | |
| | Group II | 1,500 | |
| | Group III-VIII | 325-985 | |

Substitute Teachers: $30.00 per day first 20 days
21st to 60th dat - $33.00/day
61st to 100th day - $38.00/day

Temporary Teachers - $68.00/day
(long-term assignment same classroom)

| 12-Month | Fiscal Year | Step 1 | Step 2 | Step 3 | Step 4 | Step 5 | Step 6 | Step 7 |
|---|---|---|---|---|---|---|---|---|
| Secretary | 1985 | 11939 | 12399 | 12756 | 13275 | 13758 | 14923 | 16115 |
| Secretary/ Data Pro. | 1985 | 12197 | 12788 | 13275 | 13925 | 14538 | 15831 | 17153 |
| Secretary/ Recept. | 1985 | 11939 | 12399 | 12756 | 13275 | 13758 | 14923 | 16115 |
| Bookeepper Data Pro. | 1985 | 11939 | 12399 | 12886 | 13530 | 14147 | 15412 | 16764 |
| Bookkeeper | 1985 | 11939 | 12399 | 12756 | 13275 | 13758 | 14923 | 16115 |
| 10-Month 35 Hours | | | | | | | | |
| Secretary | 1985 | 8320 | 8648 | 8885 | 9240 | 9574 | 10384 | 10897 |
| Secretary/ Recept. | 1985 | 8320 | 8648 | 8885 | 9240 | 9574 | 10384 | 10897 |
| 10-Month 32.5 Hours | | | | | | | | |
| Sec./Recept. | 1985 | 7448 | 7738 | 7962 | 8266 | 8600 | 9428 | 9903 |
| 10-Month 30 Hours | | | | | | | | |
| Secretary | 1985 | 6643 | 6795 | 6987 | 7287 | 7605 | 8568 | 8996 |
| 10-Month 27 Hours | | | | | | | | |
| Library Aide | 1985 | 5873 | 6090 | 6267 | 6519 | 6816 | 7612 | 7984 |
| 10-Month 25 Hours | | | | | | | | |
| Secretary | 1985 | 5540 | 5662 | 5814 | 6066 | 6339 | 7137 | 7494 |

SCHOOL SECRETARY - PARAPROFESSIONALS - UNION

| 10-Month Title | Fiscal Year | Step 1 | Step 2 | Step 3 | Step 4 | Step 5 | Step 6 |
|---|---|---|---|---|---|---|---|
| Lab. Asst. 32.5 Hours | 1985 | 6989 | 7323 | 7685 | 8104 | 8777 | 9190 |
| Study Hall Aide 30 Hours | 1985 | 6710 | 7185 | 7654 | 8040 | 8618 | 9098 |
| Study Hall Aide 32.5 Hours | 1985 | 7338 | 7778 | 8276 | 8728 | 9342 | 9845 |
| Student Super. 32.5 Hours | 1985 | 7895 | 8344 | 8846 | 9296 | 9917 | 10384 |
| Teacher Aide 25 Hours | 1985 | 5382 | 5633 | 5901 | 6234 | 6751 | 7074 |
| Sp. Needs Aide 25 Hours | 1985 | 5382 | 5633 | 5901 | 6234 | 6751 | 7074 |
| Sp. Needs Aide 30 Hours | 1985 | 6457 | 6761 | 7091 | 7481 | 8099 | 8448 |
| PL 94-142 Aide 30 Hours | 1985 | 6457 | 6761 | 7091 | 7481 | 8099 | 8448 |
| Work Study Aide 32.5 Hours | 1985 | 7895 | 8344 | 8846 | 9296 | 9917 | 10384 |

SCHOOL SECRETARIAL - CLERICAL - NON-UNION

| 12-Month Title | Fiscal Year | Salary | Fiscal Year | Salary |
|---|---|---|---|---|
| Secretary to the Superintendent | 1984 | $18,600 | 1985 | $19,700 |
| Secretary to Asst. Superintendent | 1984 | 16,800 | 1985 | 17,800 |
| Secretary to Business Admin. | 1984 | 16,800 | 1985 | 17,800 |

CUSTODIAL SALARIES AND WAGES

| | Fiscal Year | Prob. Sal. | Step 1 | Step 2 | Step 3 | Step 4 | Step 5 |
|---|---|---|---|---|---|---|---|
| Category 6-Matron | 1984 | 5400 | 5562 | 5940 | 6318 | 6804 | |
| | 1985 | 5724 | 5895 | 6296 | 6697 | 7212 | |
| Category 5-Maint. | 1984 | 12702 | 13832 | 14352 | 14892 | 15912 | 17014 |
| | 1985 | 13464 | 14661 | 15213 | 15785 | 16886 | 18034 |
| Category 5-Cust. | 1984 | 15184 | 15912 | 16536 | 17160 | 17992 | 19011 |
| | 1985 | 16095 | 16866 | 17528 | 18189 | 19071 | 20151 |
| Category 3-Cust. | 1984 | 13832 | 14872 | 15392 | 15912 | 16536 | 17929 |
| | 1985 | 14661 | 15764 | 16315 | 16866 | 17528 | 19542 |
| Category 2-Cust. | 1984 | 12480 | 13624 | 14040 | 14664 | 15808 | 16848 |
| | 1985 | 13228 | 14441 | 14882 | 15543 | 16756 | 17858 |
| Category 1-Cust. | 1984 | 11024 | 11856 | 12584 | 13312 | 14352 | 15579 |
| Nights | 1985 | 11685 | 12567 | 13339 | 14110 | 15213 | 16513 |
| Category 1-Cust. | 1984 | 10816 | 11648 | 12376 | 13104 | 14102 | 15350 |
| | 1985 | 11464 | 12346 | 13118 | 13890 | 14948 | 16271 |

## APPENDIX C
## SALARY SCHEDULE - ELECTED TOWN OFFICERS

| | FY 1984 | FY 1985 |
|---|---|---|
| Selectmen | 100 | 100 |
| Assessors - Chairman | 1,600 | 1,600 |
| - Assessors (2) | 1,500 | 1,500 |
| Town Clerk | 19,250 | 20,800 |
| Board of Health Members (3) | 50 | 50 |
| Water Commissioners (3) | 75 | 75 |

APPENDIX D

CAPITAL PLANNING COMMITTEE
CAPITAL BUDGET AND PROGRAM
1985 - 1989

The Capital Planning Committee is charged with reviewing the capital expenditures proposed by Town Boards and Commissions originating as Department items and as Town Meeting Articles. A Capital item is defined as:

A. All new municipal buildings, structures, improvements and alterations with a cost of $10,000 or more.

B. All mechanical equipment, machinery, computers, office equipment, tools, etc. with a cost of $10,000 or more.

C. All land acquisitions.

D. All purchases of cars, trucks and other licensed vehicles.

The information contained in the accompanying report was gathered through the use of Capital Request Forms and follow-up meetings with the submitting authorities. It has been assembled, reviewed and evaluated by the Committee. The priorities assigned by the Committee were determined on the basis of a) need, b) the justification presented by the submitting authority and c) the effect on the related service. Highest priority (1) was assigned to those items which merited inclusion in the current year's budget. A secondary (2) priority was assigned to those items which, although worthwhile, were considered less important within the context of this year's capital requests. The lowest priority (3) was assigned to all the remaining requests.

The items presented in the report for the years 1986-1989 represent the requests of Departments, Commissions and Committees and will be subject to further review as part of the ongoing process of capital planning.

Special attention should be given to the continuing road reconstruction needs. These represent a large expenditure for the Town, particularly with the constraints imposed by Proposition 2 1/2.

The report is composed of several parts. First, a summary of capital expenditures from 1984 to 1989. Second, a summary of Department requests followed by a summary of the Water Department capital requests. Third, a summary of proposed articles. Fourth, a summary of assumed capital borrowings that combines current debt service with proposed borrowings. Fifth, a summary of the effect of Capital spending on an estimate of the 1985 tax rate.

The Capital Planning Committee hopes that the information contained in the report will assist the voters as they make their Town Meeting decisions.

Respectfully submitted,

Mary M. Antes
Suzanne R. Dates
Ray K. Heist
Robert L. West
E. Michael Brown, Chairman

CAPITAL EXPENDITURE SUMMARY
1984 - 1989

| DEPARTMENTS | | BUDGET 1984 | BUDGET 1985 | 1986 | 1987 | 1988 | 1989 |
|---|---|---|---|---|---|---|---|
| GENERAL GOVERNMENT | | | 0 | 8,500 | 20,000 | 0 | 0 |
| CONSERVATION COMMISSION | | | 0 | 20,000 | 11,000 | 0 | 0 |
| POLICE DEPARTMENT | | | 37,800 | 39,800 | 41,900 | 44,400 | 47,900 |
| FIRE DEPARTMENT | | | 42,000 | 10,000 | 110,000 | 10,000 | 160,000 |
| SCHOOL DEPARTMENT | | | 40,000 | 238,000 | 234,000 | 200,000 | 200,000 |
| LIBRARY | | | 30,000 | 36,800 | 0 | 0 | 0 |
| PARK & RECREATION | | | 0 | 24,000 | 11,000 | 24,000 | 23,000 |
| HIGHWAY DEPARTMENT | | | 55,000 | 140,000 | 63,000 | 60,000 | 100,000 |
| TOTAL DEPARTMENT CAPITAL REQUESTS | $ | | 204,800 | 517,100 | 490,900 | 338,400 | 530,900 |
| EFFECT OF DEPT. CAPITAL ON TAX RATE (**) | $ | | 0.43 | 1.08 | 1.03 | 0.71 | 1.11 |
| DEPARTMENT CAPITAL AS % OF 1985 BUDGET (++) | % | | 1.4 | 3.4 | 3.3 | 2.2 | 3.6 |

| ARTICLES | | 1985 | 1986 | 1987 | 1988 | 1989 |
|---|---|---|---|---|---|---|
| ALL CAPITAL ITEMS | $ | 1,706,050 | 920,000 | 2,020,000 | 1,140,000 | 1,695,000 |
| EFFECT OF ARTICLE CAPITAL ON TAX RATE (**) | $ | 3.58 | 1.93 | 4.23 | 2.39 | 3.55 |
| ARTICLE CAPITAL AS % OF 1985 BUDGET (++) | % | 11.3 | 6.1 | 13.4 | 7.6 | 11.2 |
| EFFECT OF TOTAL CAPITAL ITEMS ON TAX RATE (**) | $ | 4.01 | 3.01 | 5.26 | 3.10 | 4.66 |
| TOTAL CAPITAL AS % OF 1984 BUDGET (++) | % | 12.7 | 9.5 | 16.7 | 9.8 | 14.8 |
| CAPITAL $ PER RESIDENT (##) | | 153.31 | 115.30 | 201.45 | 118.61 | 178 |

(**) BASED ON EST. 1984 RATE OF $477,000 = $1.00
(##) BASED ON 12,464 RESIDENTS
(++) BASED ON EST. 1985 BUDGET OF $15,077,757 (ASSUMES OVERRIDE)

## SUMMARY OF DEPARTMENTS

| | Priority | 1985 | 1986 | 1987 | 1988 | 1989 |
|---|---|---|---|---|---|---|
| **POLICE DEPARTMENT** | | | | | | |
| Replace 4 cars | (1) | 37,800 | 39,800 | 41,900 | 44,400 | 47,900 |
| SUB TOTAL | | 37,800 | 39,800 | 41,900 | 44,400 | 47,900 |
| **FIRE DEPARTMENT** | | | | | | |
| Car # 1 Sta. Wgn. | | 0 | 0 | 10,000 | 0 | 0 |
| Truck - 1/2 Ton PU | | 0 | 0 | 0 | 10,000 | 0 |
| Ambulance | (1) | 42,000 | 0 | 0 | 0 | 0 |
| Engine # 2 | | 0 | 0 | 0 | 0 | 120,000 |
| Engine # 3 | | 0 | 0 | 100,000 | 0 | 0 |
| Ladder # 1 | | 0 | 0 | 0 | 0 | 40,000 |
| Fire Alarm Truck | | 0 | 10,000 | 0 | 0 | 0 |
| SUB TOTAL | | 42,000 | 10,000 | 110,000 | 10,000 | 160,000 |
| **GENERAL GOVERNMENT** | | | | | | |
| Dog Officer Van | | 0 | 8,500 | 0 | 0 | 0 |
| Eng. Dept. - Plotter & Software | | 0 | 0 | 20,000 | 0 | 0 |
| SUB TOTAL | | 0 | 8,500 | 20,000 | 0 | 0 |
| **LIBRARY** | | | | | | |
| Automa. Project Phase II | (1) | 30,000 | 0 | 0 | 0 | 0 |
| Phase III | | 0 | 21,800 | 0 | 0 | 0 |
| Painting - Int. & Ext. | | 0 | 15,000 | 0 | 0 | 0 |
| Renovation & Additions | | 0 | 0 | 0 | 0 | 0 |
| SUB TOTAL | | 30,000 | 36,800 | 0 | 0 | 0 |
| **CONSERVATION COMMISSION** (a) | | | | | | |
| Tractor/Mower | | 0 | 20,000 | 0 | 0 | 0 |
| Pickup Truck | | 0 | 0 | 11,000 | 0 | 0 |
| SUB TOTAL | | 0 | 20,000 | 11,000 | 0 | 0 |
| **PARK AND RECREATION DEPARTMENT** | | | | | | |
| F250 Truck W. Plow | | 0 | 12,000 | 0 | 0 | 0 |
| F35Q Dump Truck | | 0 | 12,000 | 0 | 0 | 0 |
| F250 Truck | | 0 | 0 | 11,000 | 0 | 0 |
| F600 Truck W. Plow | | 0 | 0 | 0 | 13,000 | 0 |
| Ford Courier | | 0 | 0 | 0 | 11,000 | 0 |
| F350 Dump Truck | | 0 | 0 | 0 | 0 | 13,000 |
| Station Wagon | | 0 | 0 | 0 | 0 | 10,000 |
| SUB TOTAL | | 0 | 24,000 | 11,000 | 24,000 | 23,000 |
| **SCHOOL COMMITTEE** | | | | | | |
| Locker Replacement | (2) | 40,000 | 0 | 0 | 0 | 0 |
| Carpet Replacement | | 0 | 15,000 | 10,000 | 0 | 0 |
| Roof Maintenance & Repair | | 0 | 200,000 | 200,000 | 200,000 | 200,000 |
| Bus Replacement | | 0 | 23,000 | 24,000 | 0 | 0 |
| SUB TOTAL | | 40,000 | 238,000 | 234,000 | 200,000 | 200,000 |

| | Priority | 1985 | 1986 | 1987 | 1988 | 1989 |
|---|---|---|---|---|---|---|
| HIGHWAY DEPARTMENT | | | | | | |
| Backhoe | (1) | 55,000 | 0 | 0 | 0 | 0 |
| 10 Ton Dump Truck | | 0 | 45,000 | 0 | 0 | 0 |
| 1 Ton Dump Truck | | 0 | 16,000 | 0 | 0 | 0 |
| 10 Ton Dump Truck #6 | | 0 | 45,000 | 0 | 0 | 0 |
| Sidewalk Tractor | | 0 | 20,000 | 0 | 0 | 0 |
| 4WD Pickup #35 | | 0 | 14,000 | 0 | 0 | 0 |
| 10 Ton Dump Truck #8 | | 0 | 0 | 45,000 | 0 | 0 |
| 1 Ton Dump Truck #7 | | 0 | 0 | 18,000 | 0 | 0 |
| 10 Ton Dump Truck #5 | | 0 | 0 | 0 | 48,000 | 0 |
| Midsize Car | | 0 | 0 | 0 | 12,000 | 0 |
| Front End Loader | | 0 | 0 | 0 | 0 | 100,000 |
| SUB TOTAL | | 55,000 | 140,000 | 63,000 | 60,000 | 100,000 |
| SUB TOTAL DEPARTMENTS | | 204,800 | 517,100 | 490,900 | 338,400 | 530,900 |
| WATER DEPARTMENT | | | | | | |
| New Well and Pumping Station | (1) | 10,000 | 0 | 0 | 0 | 0 |
| Test Wells | | 0 | 10,000 | 0 | 10,000 | 0 |
| Replace Backhoe | | 0 | 0 | 35,000 | 0 | 0 |
| New Truck | (1) | 7,500 | 7,500 | 7,500 | 10,500 | 7,500 |
| Purge Wells | | 0 | 0 | 0 | 20,000 | 20,000 |
| New Compressor | | 0 | 21,000 | 0 | 0 | 0 |
| Meter Replacement | (1) | 10,000 | 10,000 | 5,000 | 10,000 | 10,000 |
| Water Main Replacement | (1) | 20,000 | 20,000 | 35,000 | 30,000 | 40,000 |
| Clean & Paint Standpipes | (1) | 80,000 | 0 | 0 | 0 | 0 |
| SUB TOTAL | | 127,500 | 68,500 | 82,500 | 80,500 | 77,500 |
| SIDEWALK COMMITTEE (b) | | | | | | |
| Plain Rd. Walkway (1) | | 40,000 | 0 | 0 | 0 | 0 |
| Stonebridge Walkway (1)(2) | | 50,000 | 0 | 0 | 0 | 0 |
| Rt. 20 Walkway (3) | | 0 | 245,000 | 0 | 0 | 0 |
| Sherman Bridge Walkway (3)(4) | | 0 | 115,000 | 0 | 0 | 0 |
| Alden Rd. Walkway (5) | | 6,000 | 0 | 0 | 0 | 0 |
| SUB TOTAL | | 96,000 | 360,000 | 0 | 0 | 0 |

(1) Included as part of Road Construction request
(2) Already voted in 1984 Fall Town Meeting
(3) Some part of which may be State reimbursed
(4) Not part of Road Construction request
(5) Included in Highway Department Operating Budget

(a) Excludes specific land acquisitions
(b) Informational data only - all requests are included in other Department/Commission's budget

## SUMMARY OF ARTICLES

| | Priority | 1985 | 1986 | 1987 | 1988 | 1989 |
|---|---|---|---|---|---|---|
| **HIGHWAY DEPARTMENT** | | | | | | |
| Liner for Landfill (a) | | 150,000* | | | | |
| Resurface Pemberton Rd., Harrison, School and Bradford Sts. and Shawmut Ave. | (1) | 122,550 | | | | |
| Drainage - Peck Ave. | (1) | 7,500 | | | | |
| SUB TOTAL | | 280,050 | | | | |

*Low est. $100,000; high est. $300,000

| | | | | | | |
|---|---|---|---|---|---|---|
| **ROAD CONSTRUCTION** | | | | | | |
| Construct Stonebridge Rd. | (1) | 250,000 | 0 | 0 | 0 | 0 |
| Plain Rd. | (1) | 700,000 | 0 | 0 | 0 | 0 |
| Design Sherman Bridge Rd. | (1) | 50,000 | 0 | 0 | 0 | 0 |
| OCPE/Rice Rd. Inter. | (1) | 25,000 | 0 | 0 | 0 | 0 |
| Pinebrook Rd. | | 32,000 | 0 | 0 | 0 | 0 |
| Sherman Bridge | | 50,000 | 0 | 0 | 0 | 0 |
| Construct Sherman Bridge Rd. | | 0 | 400,000 | 0 | 0 | 0 |
| OCPE/Rice Rd. Inter. | | 0 | 150,000* | 0 | 0 | 0 |
| Design Glezen Lane | | 0 | 80,000 | 0 | 0 | 0 |
| Various Local Roads | | 0 | 50,000 | 0 | 0 | 0 |
| Construct Glezen Lane | | 0 | 0 | 500,000 | 0 | 0 |
| Various Local Roads | | 0 | 0 | 210,000 | 0 | 0 |
| Design Draper Road | | 0 | 0 | 80,000 | 0 | 0 |
| Various Local Roads | | 0 | 0 | 30,000 | 0 | 0 |
| Construct Draper Road | | 0 | 0 | 0 | 515,000 | 0 |
| Various Local Roads | | 0 | 0 | 0 | 200,000 | 0 |
| Design Claypit Hill Road | | 0 | 0 | 0 | 55,000 | 0 |
| Rice Road | | 0 | 0 | 0 | 170,000 | 0 |
| Construct Claypit Hill Road | | 0 | 0 | 0 | 0 | 365,000 |
| Rice Road | | 0 | 0 | 0 | 0 | 1,130,000 |
| SUB TOTAL | | 1,107,000 | 680,000 | 820,000 | 940,000 | 1,495,000 |

*Design and reconstruction of OCPE and Rice Road can be taken from previously appropriated funds.

| | | | | | |
|---|---|---|---|---|---|
| **CONSERVATION COMMISSION** | | | | | |
| Bowles land acquisition | 129,000 | 0 | 0 | 0 | 0 |
| Land acquisition | 150,000 | 200,000 | 200,000 | 200,000 | 200,000 |
| SUB TOTAL | 279,000 | 200,000 | 200,000 | 200,000 | 200,000 |
| **SURFACE WATER QUALITY** | | | | | |
| Dudley Pond restoration* | 0 | 375,000 | 0 | 0 | 0 |
| | 0 | 375,000 | 0 | 0 | 0 |

*At least 50% State reimbursement expected

| | Priority | 1985 | 1986 | 1987 | 1988 | 1989 |
|---|---|---|---|---|---|---|
| SCHOOL COMMITTEE | | | | | | |
| Purchase of approx. 20 micro computers | (1) | 40,000 | 40,000 | 0 | 0 | 0 |
| SUB TOTAL | | 40,000 | 40,000 | 0 | 0 | 0 |
| LIBRARY | | | | | | |
| Renovations & additions | | 0 | 0 | 1,000,000* | 0 | 0 |
| SUB TOTAL | | 0 | 0 | 1,000,000 | 0 | 0 |
| SUB TOTAL ARTICLES | | 1,706,050 | 920,000 | 2,020,000 | 1,140,000 | 1,695,000 |

*Low est. $500,000; high est. $1,000,000

(a) Request received too late for full evaluation

## ASSUMED CAPITAL BORROWING PROGRAM

### CURRENT DEBT OBLIGATIONS

| | 1985 | 1986 | 1987 | 1988 | 1989 |
|---|---|---|---|---|---|
| **Schools** | | | | | |
| 950,000 - 1972 | 63,000 | 60,750 | 58,500 | 56,250 | 54,000 |
| 900,000 - 1976 | 102,262 | 97,357 | 92,452 | -- | -- |
| | 165,262 | 158,107 | 150,952 | 56,250 | 54,000 |
| **Town Building** | | | | | |
| 1,605,000 - 1978 | 212,431 | 203,644 | 194,856 | 117,731 | -- |
| **Equipment, Conservation, Septage** | | | | | |
| 422,500 - 1983 | 124,775 | 118,625 | 107,625 | 94,500 | 30,900 |
| | 502,468 | 480,376 | 453,433 | 268,481 | 84,900 |

### FUTURE DEBT OBLIGATIONS

| | | 1985 | 1986 | 1987 | 1988 | 1989 |
|---|---|---|---|---|---|---|
| **Projects Approved 83, 84** | | | | | | |
| Old Conn. Path - | 715,000 | 56,112 | 120,080 | 115,080 | 110,080 | 105,080 |
| Conservation (Bowles)- | 129,000 | -- | 21,930 | 21,000 | 20,100 | 19,200 |
| Road Bonds - | 950,000 | -- | 161,500 | 154,850 | 148,200 | 141,550 |
| Design Bonds - | 132,000 | -- | 35,640 | 33,790 | 31,940 | 30,090 |
| Landfill Liner - | 150,000 | -- | 25,500 | 24,450 | 23,400 | 22,350 |
| Septage Facility Add. | 200,000 | -- | 34,000 | 32,600 | 31,200 | 29,800 |
| | 2,276,000 | 56,112 | 398,650 | 381,770 | 364,920 | 348,070 |
| **Projects Anticipated 85, 86** | | | | | | |
| Road Projects - | 1,500,000 | -- | -- | 255,000 | 244,500 | 234,000 |
| Conservation - | 400,000 | -- | -- | 68,000 | 65,200 | 62,400 |
| Library - | 1,000,000 | -- | -- | 170,000 | 163,000 | 156,000 |
| | 2,900,000 | -- | -- | 493,000 | 472,700 | 452,400 |
| TOTAL DEBT SERVICE | | 558,580 | 878,936 | 1,328,203 | 1,106,101 | 885,370 |

### SUMMARY OF BORROWING PROGRAM EFFECT ON TAX RATE**

| | 1985 | 1986 | 1987 | 1988 | 1989 |
|---|---|---|---|---|---|
| Existing Debt | 1.05 | 1.00 | .95 | .56 | .18 |
| Projects Approved 83, 84 | .12 | .84 | .80 | .77 | .73 |
| Projects Anticipated 85, 86 | -- | -- | 1.03 | .99 | .95 |
| TOTAL DEBT SERVICE | 1.17 | 1.84 | 2.78 | 2.32 | 1.86 |

** Based on 477,000 = 1.00 on the 85 - 89 Tax Rate

## APPENDIX E

### Salary and Wages ($25,000 or more)

The following amounts are from W-2 forms for calendar 1983 and include any overtime and stipends. The difference between base salary and the amount shown below is overtime or stipends which vary from year to year, plus increases during the year.

| | | | |
|---|---|---|---|
| **GENERAL GOVERNMENT** | | | |
| Executive Secretary | 38,705 | Data Processing Mgr. | 27,185 |
| Admin.Fin.Serv./Pers. | 35,873 | Town Surveyor | 29,071 |
| Town Accountant | 30,848 | Building Inspector | 25,321 |
| **HEALTH** | | | |
| Social Worker | 30,865 | | |
| **PARK DEPARTMENT** | | | |
| Superintendent | 30,048 | | |
| **HIGHWAY DEPARTMENT** | | | |
| Master Mechanic | 25,046 | | |
| **POLICE DEPARTMENT** (Including Overtime & Private Details) | | | |
| Chief | 33,119 | Patrolman | 32,614 |
| Lieutenant | 28,185 | Patrolman | 25,278 |
| Youth Officer | 32,804 | Patrolman | 34,652 |
| Sergeant | 34,522 | Patrolman | 32,184 |
| Sergeant | 29,159 | Patrolman | 31,359 |
| Sergeant | 33,109 | Patrolman | 29,704 |
| Sergeant | 30,171 | Patrolman | 25,305 |
| Sergeant | 30,441 | | |
| **FIRE DEPARTMENT** (Including Overtime) | | | |
| Chief | 34,778 | Firefighter/Clerk | 25,402 |
| Deputy Chief | 31,095 | Firefighter/Elect. | 25,394 |
| Captain | 30,552 | | |
| Captain | 29,442 | | |
| Captain | 29,481 | | |
| **WATER DEPARTMENT** | | | |
| Superintendent | 29,625 | | |
| **SCHOOL DEPARTMENT** | | | |
| Administration: | | | |
| Superintendent | 58,900 | Dir. of Programs | 41,400 |
| Asst. Superintendent | 45,375 | Business Administrator | 39,300 |
| **SYSTEM WIDE PERSONNEL** | | | |
| Special Needs Coord. | 29,750 | Dir. of Sp. Ed. | 37,363 |
| **PRINCIPALS** | | | |
| High School | 50,856 | Asst. Junior High | 36,001 |
| Asst. High School | 37,100 | Claypit Hill | 40,500 |
| Asst. High School | 39,650 | Happy Hollow | 40,500 |
| Junior High School | 41,706 | | |

DEPARTMENT HEADS

| | | | |
|---|---|---|---|
| 33,563 | 36,173 | 30,707 | 36,945 |
| 29,398 | 33,780 | 32,915 | 41,243 |
| 33,678 | 32,993 | | |

TEACHERS

| | | | |
|---|---|---|---|
| 30,367 | 32,418 | 35,479 | 30,367 |
| 33,392 | 34,069 | 28,844 | 25,360 |
| 30,462 | 35,487 | 25,111 | 30,652 |
| 27,884 | 30,367 | 30,367 | 30,367 |
| 30,415 | 25,259 | 31,658 | 25,743 |
| 30,367 | 26,829 | 35,391 | 25,243 |
| 32,342 | 30,367 | 35,479 | 27,884 |
| 31,016 | 33,737 | 25,150 | 33,389 |
| 30,367 | 25,128 | 29,854 | 28,369 |
| 27,694 | 30,367 | 36,380 | 31,293 |
| 35,234 | 27,047 | 27,512 | 29,457 |
| 27,607 | 32,349 | 32,384 | 31,737 |
| 26,316 | 33,143 | 30,462 | 35,640 |
| 27,599 | 35,347 | 30,359 | 33,101 |
| 30,367 | 30,510 | 25,649 | 30,802 |
| 30,957 | 31,314 | 32,261 | 32,117 |
| 28,227 | 32,444 | 32,254 | 32,301 |
| 30,367 | 25,617 | 33,481 | 34,461 |
| 34,698 | 33,226 | 30,196 | 27,694 |
| 34,172 | 27,158 | 30,852 | 27,573 |
| 29,821 | 30,367 | 27,599 | |

APPENDIX F

REFER TO ARTICLE 25

M.G.L. Chapter 16B through 16F

16B. Effective date of sewer charge lien; termination; methods of collection and enforcement of rate or charge

Such lien shall take effect by operation of law on the day immediately following the due date of such rate or charge and, unless dissolved by payment or abatement, shall continue until such rate or charge has been added to or committed as a tax under section sixteen C, and thereafter, unless so dissolved, shall continue as provided in section thirty-seven of chapter sixty, except that the date provided for termination of the lien in case of a recorded alienation shall be at the expiration of two years from October first of the year of such addition or committal. Anything in this section to the contrary notwithstanding, if any such rate or charge is not added to or committed as a tax under section sixteen C on or before December thirty-first of the year immediately following the year in which such rate or charge becomes due, the lien for such rate or charge shall terminate on October first of the third year following the year in which such rate or charge becomes due.

Notwithstanding such lien any such overdue rate or charge may be collected through any legal means, including the shutting off of a sewer connection, which may be deemed advisable; provided, that after the termination of such a lien, no city, town or sewer district shall attempt to enforce, by shutting off the sewer connection, collection of such rate or charge from any person, not liable therefor, who has succeeded to the title or interest of the person incurring such rate or charge. All such rates and charges excluded by court decree under section seventy-six B of chapter sixty shall, to the extent that they were properly chargeable to the person owning, or to the tenant occupying, the premises for which such rates and charges were incurred, be recoverable from such person or tenant, as the case may be, in an action of contract or otherwise. If at the time of the entry of such decree such person or tenant is still the owner or tenant of the premises, whether through redemption or otherwise, such rates and charges to the extent that they were properly chargeable to him, may be enforced in any other manner provided or available for collection and enforcement of sewer connection rates and charges.

16C. Certification of rate or charge to assessors; commitment as tax

If a rate or charge for which a lien is in effect under section sixteen B has not been added to or committed as a tax and remains unpaid when the assessors are preparing a real estate tax list and warrant to be committed by them under section fifty-three of chapter fifty-nine, the board or officer in charge of the sewer

department, or the town collector of taxes, if applicable under section thirty-eight A of chapter forty-one, shall certify such rate or charge to the assessors, who shall forthwith add such rate or charge to the tax on the property to which it relates and commit it with their warrant to the collector of taxes as a part of such tax. If the property to which such rate or charge relates is tax exempt, such rate or charge shall be committed as the tax.

16D. Application of other law; powers of tax collectors

Except as otherwise provided, the provisions of chapters fifty-nine and sixty shall apply, so far as pertinent, to all rates and charges certified to the assessors under section sixteen C. Without limiting the generality of the foregoing, upon commitment as a tax or part of a tax under said section sixteen C, all such rates and charges shall be subject to the provisions of law relative to interest on the taxes of which they become, or, if the property were not tax exempt would become, a part; and the collector of taxes shall have the same powers and be subject to the same duties with respect to such rates and charges as in the case of annual taxes upon real estate, and the provisions of law relative to the collection of such annual taxes, the sale or taking of land for the nonpayment thereof and the redemption of land so sold or taken shall, except as otherwise provided, apply to such rates and charges.

16E. Remedies of aggrieved real estate owners

An owner of real estate aggrieved by a charge imposed thereon under sections sixteen A to sixteen F, inclusive, in addition to such remedy as he may have under section ten of chapter one hundred and sixty-five, may apply for an abatement thereof by filing a petition with the board or officer having control of the sewer department within the time allowed by law for filing an application for abatement of the tax of which such charge is, or, if the property were not tax exempt, would have been, a part, and if such board or officer finds that such charge is more than is properly due, a reasonable abatement shall be made; and except as otherwise provided herein, the provisions of chapter fifty-nine relative to the abatement of taxes by assessors shall apply, so far as applicable, to abatements hereunder. If such petition is denied in whole or in part, the petitioner may appeal to the appellate tax board upon the same terms and conditions as a person aggrieved by the refusal of the assessors of a city or town to abate a tax.

16F. Recovery of real estate owner against tenants

An owner of real estate who, in order to prevent the imposition of a lien thereon or to discharge the same, has paid charges for sewer connections furnished to a tenant or other person who was bound to pay the same, may recover from such tenant or other person in an action of contract the amount of the charges so paid with all incidental costs and expenses.

# NOTES

# NOTES

# NOTES

# NOTES

APPENDIX G

# RECODIFICATION

# OF THE

# ZONING BY-LAWS

# OF THE

# TOWN OF WAYLAND

(See Article 21 of the Warrant
for the Annual Town Meeting
on April 4, 1984)

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PURPOSE.

The purpose of these by-laws is to promote the health, safety, convenience and welfare of the residents of the Town of Wayland, to conserve the value of buildings, and to encourage the most appropriate use of land throughout the town.

DEFINITIONS.

Words and terms used in these by-laws are hereby defined, and their meaning explained or limited. Certain words and terms which have been capitalized in the text are defined.

Reference is made to Sections providing further explanation.

Definitions particular to the Planned Development District may be found in Section 16.2.

Accessory Dwelling Unit - An additional set of living facilities contained within an owner-occupied single dwelling. Section 3.3.2.

Accessory Use or Accessory Building - A use of land or building customarily incident to, and located on the same lot as, the use or building to which it is accessory. Sections 3.3.7; 3.3.8.

Board of Appeals - See Zoning Board of Appeals.

Building - A combination of materials having a roof and exterior walls, and forming a shelter for persons, animals, or property.

Building Inspector - An individual appointed by the Board of Selectmen with enforcement powers under these by-laws, and duties and powers under the currently applicable state building code.

Building Permit - A permit to construct in accordance with applicable Codes.

Certificate of Occupancy - Certification that building and zoning codes have been met, and that the premises may be used.

Customary Home Occupation - Certain occupations engaged in within an existing dwelling by a resident owner. Sections 3.3.4, 3.3.5, 3.5.4.

Disposal Works Construction Permit - A permit to construct facilities for sewage disposal in accordance with the most recent provisions of the State Sanitary Code. Such a permit is to be obtained from the Board of Health.

Driveway, Access Drive - Space reserved for the movement of vehicles from a lot to a street.

Dwelling - A detached residential building. Section 3.3.1.

Dwelling Unit - Living quarters, with permanent provisions for living, cooking and sanitation.

Farm - Land used for the cultivation of crops or the maintenance of livestock. For Agricultural Use, see Section 3.2.

Height - The vertical distance between the highest point of the roof of a building and the mean grade of the natural ground adjoining the building.

Housekeeping Unit, Single - One or more persons living together and sharing the same kitchen facilities, water and energy services. Section 3.3.1.

Inspector of Buildings - See Building Inspector.

Kennel - A dog kennel shall be a structure or enclosure for a pack or collection of more than three dogs three months old or over, owned or kept by a person on single premises for breeding, boarding, sale or other purposes.

Lot - An area of land described in an application for a permit, with definite boundaries ascertainable by recorded deed or plan.

Lot Area - The area within the boundaries of a lot, for the purposes of ascertaining the minimum required, including land over which easements have been granted, but not including any part of the street or way upon which it abuts. See Section 4.2.1.

Non-conforming use/structure/lot - A use, structure, or lot which does not conform to the requirements of the district in which it exists.

Open Land - Land not dedicated to building lots or streets. Section 6.3.7.

Site Plan Approval - An authorization issued by the Zoning Board of Appeals. Required for construction, reconstruction, alteration, enlargement or use of buildings in Business, Light Manufacturing, Limited Commercial and Roadside Business districts. Section 14.6.

Special Permit - An authorization issued by the Zoning Board of Appeals, or, in the case of a Conservation Cluster Development, by the Planning Board. Required for certain uses in various Districts. Sections 3.1; 14.5.

Story - That portion of a building above mean grade contained between any floor and the floor or roof next above it.

Street - As used in these by-laws, shall mean any public way for vehicular traffic or any private way laid out or used as a public way for such traffic.

Structure - Anything constructed or erected, the use of which requires a fixed location on the ground, or attachment to something located on the ground. Driveways, parking areas, and fences less than six feet in height are not included.

Town - The term Town shall mean the Town of Wayland, Massachusetts.

Variance - An authorization issued by the Zoning Board of Appeals granting relief from the strict dimensional or use requirements of these by-laws. Section 14.4.

Way - see Street.

Wet Areas - water areas, and land which: has an elevation of less than 124 feet above mean sea level; or which is submerged during any portion of the year; and all lands within the Watershed Protection District. Section 16.2 (1).

## 1.0 ESTABLISHMENT OF DISTRICTS

1.1 Division of Town into Use Districts. The Town of Wayland is divided into the following zoning districts:

(a) Single Residence
(b) Roadside Business
(c) Business A
(d) Business B
(e) Light Manufacturing
(f) Limited Commercial
(g) Planned Development
(h) Refuse Disposal

1.2 Division of Residence District into Residence Zones. The single residence zoning district is divided into the following zones:

(a) Residence Zone 20,000 sq. ft. area, 120 ft. frontage;

(b) Residence Zone 30,000 sq. ft. area, 150 ft. frontage;

(c) Residence Zone 40,000 sq. ft. area, 180 ft. frontage;

(d) Residence Zone 60,000 sq. ft. area, 210 ft. frontage.

1.3 Flood Plain, Watershed Protection, and Flood Protection Districts.* The following districts overlie the use districts established in Section 1.1 hereof:

(a) Flood Plain District. See Section 13.2.

(b) Watershed Protection District. See Section 13.3.

(c) Federal Flood Protection District. See Section 13.4.

* Attention is directed to the fact that state and federal laws relating to wetlands and conservation are also applicable in all districts. See, e.g., M.G.L. Chapter 131, Section 40 (Wetlands) and 42 United States Code Secs. 4001-4128 (Flood Insurance).

1.4 Location and Boundaries of Districts and Zones. The location and boundaries of the zoning and overlay districts are as follows. The descriptions, plans and maps referred to below are on file with the Town Clerk and shall be part of these Zoning By-laws.

(a) The zoning districts are defined and described in numerous votes of the Town beginning with the adoption of these by-laws under Article 5 of the September 5, 1934 Special Town Meeting and as amended from time to time thereafter. The zoning districts are shown on a plan entitled "Zoning Plan of the Town of Wayland, Massachusetts, Everett M. Brooks Co., Civil Engineers - Newtonville and Wayland Massachusetts, January 1, 1971" as the same may be amended.*

(b) The Flood Plain District includes all land and water in the Town of Wayland subject to seasonal or periodic flooding by the Sudbury River, except for temporary excavations, whose surface lies below elevation 124 feet above mean sea level, as such elevation is shown by the notation '_____"_____"___ 124 _____"_____"_____Flood Plain' in the Atlas of the Town of Wayland, Massachusetts Prepared and Corrected to January 1, 1972 by Everett M. Brooks Company Corrected to January 1, 1975 by Wayland Engineering Department.

(c) The Watershed Protection District is shown, defined, and bounded on a map on file with the Town Clerk entitled "Wayland Watershed Protection District December 15, 1966 MacCarthy Engineering Service Inc. Natick, Mass., Westborough, Mass."

(d) The Federal Flood Protection District is defined as the 100-year Flood Plain Zones A, A1-A30, which is shown, defined, and bounded on maps published by the Federal Emergency Management Agency, on file with the Town Clerk, and entitled "Flood Insurance Rate Map" (FLOODWAY) Town of Wayland, Massachusetts, Middlesex County dated June 1, 1982.

* A compilation of all such votes through 1979 is set forth in a pamphlet entitled "Description of Zoning Plan" available through the office of the Town Clerk.

## 2.0 EXISTING AND TEMPORARY NON-CONFORMING STRUCTURES AND USES

2.1. Existing non-conforming structures and uses. Any structure or use lawfully in existence or lawfully begun, or for which a Building or Special Permit was issued, before the first publication of notice of public hearing on any provision of these by-laws and any amendment thereto required by M.G.L. Chapter 40 A, Section 5, may be continued or completed although such structure or use does not conform to said provision or amendment. However, unless the use or construction is commenced within a period of not more than six months after the issuance of the permit; and, in cases involving construction, unless such construction is continued through to completion as continuously and expeditiously as is reasonable, construction or operations under a Building or Special Permit shall conform to any subsequent provision of these by-laws or any amendment thereto.

2.1.1. Alteration or extension - Pre-existing non-conforming structures or uses may be changed, extended or altered under a Special Permit, provided that no such change, extension or alteration shall be permitted unless there is a finding by the Board of Appeals that such change, extension or alteration will not be substantially more detrimental to the neighborhood than the existing non-conforming structure or use.

A structure for one or two housekeeping units may be the subject of alteration, reconstruction, extension or structural change without the necessity of a Special Permit, provided that such alteration, reconstruction, extension or structural change does not increase the non-conforming nature of such structure.

2.1.2. Rebuilding after damage or destruction - If a non-conforming structure is damaged or destroyed, any rebuilding or restoration may take place as of right so long as the rebuilding or restoration conforms precisely in size, configuration and extent of use to that which existed prior to the damage or destruction.

The Board of Appeals may, but shall not be obligated to, issue a Special Permit for any change in size, configuration and extent of use of a damaged or destroyed non-conforming structure, provided that the Board shall find that such change will not be substantially more detrimental to the neighborhood than the existing non-conforming use. Any permitted restoration or rebuilding shall commence within six months after the issuance of the Special Permit therefor and shall continue through to completion as continuously

and expeditiously as is reasonable, or such permission shall lapse. Unless otherwise authorized by the Board of Appeals, the new or restored structure shall have the same height and location on the lot as the replaced structure.

2.1.3. Abandonment - Wherever a lawful non-conforming use has not been used for twenty-four consecutive months or more, it shall not be resumed or reestablished and all future uses shall conform to these By-Laws.

2.2. Non-conforming Lots Described in Deeds or Shown on Plans Recorded Prior to Adoption or Amendment of By-Laws. The following provisions are applicable to Lots described in deeds or shown on plans recorded prior to adoption of these by-laws in 1934 or prior to changes in area and frontage requirements in 1951 and 1953; subject to the provisions of M.G.L. Chapter 40 A, Section 6, regarding non-conforming lots held in common ownership.

2.2.1. If a Lot is shown on a plan or described in a deed recorded at the Registry of Deeds at the time these by-laws were adopted (September 5, 1934), then such Lot shall be considered to meet the requirements of these by-laws. In that connection the Board of Appeals may adapt the requirements of these by-laws to irregular, narrow or shallow Lots or those unusual in shape or topography, provided that the spirit and intent of these by-laws with regard to open space is preserved.

2.2.2. If a Lot is shown on a plan or described in a deed recorded at the Registry of Deeds on or before the effective date of an amendment to these by-laws increasing the area or frontage requirements enacted at the special town meeting called for June 20, 1951, and if such Lot conformed to the requirements of these by-laws before such amendment, such Lot shall be considered to meet the requirements of such amendment.

2.2.3. If a Lot conformed to the requirements of these by-laws before the adoption of an amendment to these by-laws changing the area or frontage requirements enacted under the warrant for the special town meeting called for November 30, 1953, but did not conform to the requirements as amended, and if such Lot meets either of the following two conditions:

(a) It is shown on a plan, or described in a deed, recorded at the Registry of Deeds on or before October 9, 1953; or

(b) It is shown on a plan of a subdivision which was submitted to the Planning Board for approval on

or before November 2, 1953, and which was approved by the Planning Board and recorded in the Registry of Deeds not later than December 20, 1953;

such Lot shall be considered to meet the area and frontage requirements as amended.

2.3 Temporary Non-conforming Use. The Board of Appeals may grant, in accordance with Section 14.5, temporary and conditional Special Permits of limited duration for non-conforming uses and buildings incidental to development operations.

SECTION 3.0 PERMITTED USE REGULATIONS

SECTION 3.1 - TABLE OF PERMITTED USES

NOTE The explanatory paragraphs following this table are part of this table and set forth additional requirements.

| | USE DISTRICTS | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|
| | Single Residence | Planned Development - See Section 16.0 | Roadside Business | Business A | Business B | Light Mfg. | Limited Comm. | Refuse Disposal - See Section 10.0 | Explanatory Paragraph |
| Guide To The Table Of Permitted Uses | | | | | | | | | 3.1.1 |
| 3.2 Agricultural Uses | | | | | | | | | |
| Agriculture | Y | | Y | Y | Y | Y | Y | | 3.2.1 |
| Farms, Farm Animals, Nursery, Private Pleasure Animals, Truck Gardens | | | | | | | | | |
| Greenhouses | Y | | Y | Y | Y | Y | Y | | 3.2.2 |
| 3.3 Residential Uses | | | | | | | | | |
| Single Dwelling | Y | | SP | N | N | N | N | | 3.3.1 |
| Accessory Dwelling | SP | | SP | N | N | N | N | | 3.3.2 |
| Conversion to Two Housekeeping Units | SP | | SP | N | N | N | N | | 3.3.3 |
| Customary Home Occupations-such as: | SP | | SP | SP | SP | SP | SP | | 3.3.4 |
| Dressmaking, Millinery, Sale of Antiques | | | | | | | | | |
| Letting Of Rooms | SP | | SP | SP | SP | SP | SP | | 3.3.5 |
| Use Of Accessory Buildings By: | SP | | SP | SP | SP | SP | SP | | 3.3.6 |
| Builder, carpenter, machinist, mason, painter, plumber, roofer, tinsmith, upholsterer | | | | | | | | | |
| Accessory Bldg. | Y | | SP | N | N | N | N | | 3.3.7 |
| Employee's Residence, Garage, Private Stable | | | | | | | | | |
| Accessory Use | Y | | SP | N | N | N | N | | 3.3.8 |
| Private Garage-More Than 3 Cars | SP | | SP | N | N | N | N | | 3.3.9 |
| Housing For Elderly | TMV | | TMV/SP | N | N | N | N | | 3.3.10 |
| Subsidized Multi-Unit Housing | TMV | | TMV/SP | N | N | N | N | | 3.3.11 |
| Conservation Cluster Development | SP | | SP | N | N | N | N | | 3.3.12 |
| 3.4 Government Institutional Utility Uses | | | | | | | | | |
| Educational Land Use | Y | | Y | Y | Y | Y | Y | | 3.4.1 |
| Religious Land Use | Y | | Y | Y | Y | Y | Y | | 3.4.2 |

SECTION 3.1 cont.

NOTE The explanatory paragraphs following this table are part of this table and set forth additional requirements.

| | USE DISTRICTS | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|
| | Single Residence | Planned Development - See Section 16.0 | Roadside Business | Business A | Business B | Light Mfg. | Limited Comm. | Refuse Disposal - See Section 10.0 | Explanatory Paragraph |
| 3.4 Gov. Instit. Utility Uses, cont. | | | | | | | | | |
| Public Facilities | | | | | | | | | |
| Churches, Parish Houses, Schools, Sunday School Buildings | Y | | Y | Y | Y | Y | Y | | 3.4.3 |
| Fire Stations, Parks, Public Libraries, Soldier & Sailor Memorial Buildings, Water Supply Reservations | Y | | SP | Y | Y | Y | Y | | 3.4.3 |
| Art Museums | Y | | SP | N | N | Y | Y | | 3.4.3 |
| Municipal Buildings | N | | N | SPA | SPA | SPA | SPA | | 3.4.4. |
| Hospitals | SP | | SP | N | N | SP | SP | | 3.4.5 |
| Nursing Homes | | | | | | | | | |
| Public Or Charitable Inst. Bldg. | SP | | SP | N | N | SP | SP | | 3.4.6 |
| Lodges And Social Clubs | SP | | SP | N | N | SP | SP | | 3.4.7 |
| Membership Clubs, Social and Recreational | | | | | | | | | |
| Railroad Uses | Y | | SP/SPA | SPA | SPA | SPA | SPA | | 3.4.8 |
| Passenger Stations | | | | | | | | | |
| Passenger Bus Terminals | N | | N | SPA | SPA | SPA | N | | 3.4.9 |
| Telephone Buildings | Y | | SP/SPA | SPA | SPA | SPA | SPA | | 3.4.10 |
| Cemeteries, Crematories | Y | | SP/SPA | Y | Y | SPA | SPA | | 3.4.11 |
| 3.5 Business Uses | | | | | | | | | |
| Resident's Business Office | SP | | SP | SP | SP | SP | SP | | 3.5.1 |
| Accountant, Dentist, Doctor, Engineer, Insurance Agent, Musician, Real Estate Agent, Recognized Professional, Teacher | | | | | | | | | |
| Business Office-General | N | | N | SPA | SPA | SPA | SP/SPA | | 3.5.2 |
| Architects, Banks, Dental Clinics, Dentists, Doctors, Insurance and General Business Offices, Lawyers, Medical Clinics, Real Estate, Recognized Professionals, Telephone Offices | | | | | | | | | |
| Other Office | N | | N | * | * | * | SP/SPA | | 3.5.3 |
| Other Similar Use | N | | N | SP/SPA | SP/SPA | N | N | | 3.5.4 |

SECTION 3.1 cont.

NOTE The explanatory paragraphs following this table are part of this table and set forth additional requirements.

USE DISTRICTS

| | Single Residence | Planned Development - See Section 16.0 | Roadside Business | Business A | Business B | Light Mfg. | Limited Comm. | Refuse Disposal - See Section 10.0 | Explanatory Paragraph |
|---|---|---|---|---|---|---|---|---|---|
| 3.5 Business Uses, cont. | | | | | | | | | |
| Resident Trades | SP | | SP | SP | SP | SP | SP | | 3.5.5 |
| Builder, Carpenter, Machinist, Mason, Painter, Plumber, Roofer, Tinsmith, Upholsterer | | | | | | | | | |
| Shops Of Builders, Etc. | | | | | | | | | |
| Electrician, Painter, Paperhanger, Plumber, Upholsterer | N | | N | SPA | N | SPA | N | | 3.5.6 |
| Carpenter, Cabinet Maker, Printer, Sign Painter | N | | N | SP/SPA | N | SP/SPA | N | | 3.5.6 |
| Livery | SP | | SP/SPA | * | * | * | SP/SPA | | 3.5.7 |
| Boat Livery, Canoe Livery, Stables Having Horses For Hire | | | | | | | | | |
| Owner's Roadside Stand | SP | | SP/SPA | * | * | * | SP/SPA | | 3.5.8 |
| Other Roadside Stand | N | | SP/SPA | * | * | * | N | | 3.5.9 |
| Retail Store | N | | N | SPA | SPA | SPA | N | | 3.5.10 |
| Appliances, Baking, Bakery, Clothing and Accessories, Drugs, Dry Goods, Food Items, Furnishings and Supplies, Furniture, Handicraft, Hardware, Household Items, Photographic Supplies, Printed Matter, Stationery, Variety Merchandise | | | | | | | | | |
| Service Establishment | N | | N | SPA | SPA | SPA | N | | 3.5.11 |
| Appliance Repair, Barber, Beauty Shop, Bicycle Repair, Dry Cleaning, Laundry Agency, Laundry Self-service, Pressing, Shoe and Hat Repair, Tailor | | | | | | | | | |
| Restaurant | N | | SP/SPA | SPA | SPA | SPA | N | | 3.5.12 |
| Automobile Sales, Service and Repairs | N | | N | SP/SPA | N | SP/SPA | N | | 3.5.13 |
| Gasoline Service Station | N | | N | SP/SPA | N | SP/SPA | N | | 3.5.14 |
| Lumber, Fuel, Feed and Ice | N | | N | N | N | SP/SPA | N | | 3.5.15 |
| Contractor's Yard | | | | | | | | | |

SECTION 3.1 cont.

NOTE The explanatory paragraphs following this table are part of this table and set forth additional requirements.

| | USE DISTRICTS | | | | | | | |
|---|---|---|---|---|---|---|---|---|
| | Single Residence | Planned Development - See Section 16.0 | Roadside Business | Business A | Business B | Light Mfg. | Limited Comm. | Refuse Disposal - See Section 10.0 | Explanatory Paragraph |
| 3.6 Industrial Use | | | | | | | | | |
| Light Manufacturing | N | | N | N | N | SP/SPA | SP/SPA | | 3.6.1 |
| Research Laboratories | N | | N | N | N | N | SP/SPA | | 3.6.2 |
| Warehouses and Distribution | N | | N | N | N | N | SP/SPA | | 3.6.3 |

Y = Allowable, as of right

SP = Permitted if a Special Permit is issued in accordance with the provisions of Section 14.5

SPA = Permitted: Site Plan Approval required in accordance with the provisions of Section 14.6

TMV = Town Meeting Vote

* = Permitted if found by the Board Of Appeals to be a use which is clearly similar to other uses permitted in the district. A special permit and Site Plan Approval are required.

N = Not permitted.

3.1 Table of Permitted Uses (Continued).

EXPLANATORY PARAGRAPHS

3.1.1. Conditions for Permitted Uses -

No land, building, or structure shall be used and no building or other structure shall be erected, constructed, reconstructed or modified in any district in the Town, except for use as permitted in Section 3.1, "Table of Permitted Uses".

Uses denoted by "SP" in the Table are permitted only if a Special Permit is issued in accordance with Section 14.5.

Uses denoted by "SPA" in the Table require that a Site Plan Approval be obtained in accordance with Section 14.6.

Further requirements or restrictions may appear in the Sections of these by-laws dealing with particular districts.

Uses of land and buildings in the Flood Plain District, Flood Plain Protection District, or Watershed Protection District (see Section 1.3) are also subject to the special provisions applicable to those districts.*

The terms used in the Table (Section 3.1) are defined and explained in the remainder of this Section 3.

3.2 Agricultural Uses.

3.2.1 Agriculture - The operation of a nursery, farm or truck garden including the keeping of farm or private pleasure animals. The term does not include the sale of products or produce at retail from the premises.

3.2.2 Greenhouses - The operation of greenhouses. The term does not include the sale of plants at retail from the premises.

3.3 Residential Uses

3.3.1 Single Dwelling - A detached building intended and designed to be occupied by a single housekeeping unit. No trailer, trailer coach, or mobile home, whether or not self-propelled and whether or not the wheels thereof may have been removed, shall be construed to be a dwelling.

* Attention is directed to the fact that Wayland has established a Historic District pursuant to M.G.L. Chapter 40C. Attention is also directed to state and federal wetlands and conservation districts. See footnote to Section 2.3

3.3.2 Accessory Dwelling Unit - An additional set of living facilities with permanent provisions for living, cooking and sanitation, contained within an owner-occupied single dwelling. This use is subject to special requirements set forth in Section 5.3 and authorization by Special Permit in accordance with Section 14.5.

3.3.3 Conversion To Two Housekeeping Units - The conversion of a single dwelling existing on September 5, 1934, into a dwelling for two housekeeping units may be authorized. This use is also subject to special requirements set forth in Section 5.4.

3.3.4 Customary Home Occupations - Activities such as dressmaking, millinery, the letting of rooms, the sale of antiques, all conducted by a resident owner only may be authorized by Special Permit. See 3.5.4, 3.5.10 or 3.5.11 for requirements in business or light manufacturing districts.

There shall be no display or advertising visible from outside except for an announcement card or sign of not more than a two square feet area.

No dwelling so used may be reconstructed or enlarged for such purpose unless specific authorization from the Board of Appeals is obtained by a separate Special Permit.

3.3.5 Letting of Rooms - Included as a customary home occupation. See 3.3.4.

3.3.6 Use of an accessory building in connection with his trade by a builder, carpenter, mason, plumber, painter, roofer, tinsmith, upholsterer, or machinist, who lives on the premises. Such use requires a yearly Special Permit in accordance with Section 14.5. No manufacturing or other business requiring substantially continuous employment shall be carried on in an accessory building. See 3.5.5 and 3.5.6 for requirements in business and light manufacturing districts.

3.3.7 Accessory Building - A building customarily incident to and located on the same premises with the building to which it is accessory including garages and private stables.

Accessory buildings may be located only in a back yard.

No accessory building shall be occupied for residence purposes except that the upper floor of a

garage or stable may be occupied by an employee of the owner or tenant of the premises.

3.3.8 Accessory Use - A use of land or building customarily incident to and located on the same premises with the permitted use to which it is accessory. The term accessory use shall not include any activity conducted for gain or any walk or driveway giving access thereto, or any billboard, advertising sign or poster, except for small bulletin boards.

3.3.9 Private Garage (more than 3 cars) - A private garage for more than 3 cars may be authorized by a Special Permit provided that the Special Permit shall include restrictions or a finding that the use will tend to protect and improve the neighborhood.

3.3.10 Elderly Housing - Housing for elderly persons of low income, as such housing is defined by M.G.L. Chapter 121B Sections 1, 38, 39 and 40, including adequate parking areas therefor, constructed by the Wayland Housing Authority. No premises shall be used for such purpose unless the Town shall have authorized such use by a two-thirds vote.

3.3.11 Subsidized Multi-Unit Housing - Subsidized multi-unit housing for persons of low income, as such housing is described in M.G.L. Chapter 120B, including adequate parking areas therefor, constructed by the Wayland Housing Authority. No premises shall be used for such purpose unless the Town shall have authorized such use by a two-thirds vote.

3.3.12 Conservation Cluster Development - A development described in Section 6 of these by-laws. This use is subject to the special requirements set forth in Section 6.

3.4 Government, Institutional, Public and Utility Uses

3.4.1 Educational Use - Use for any educational purpose which is religious, sectarian, denominational or public. These by-laws do not apply to or limit the use of land for any such purposes.

3.4.2 Religious Use - Use for any church or other religious purpose. These by-laws do not apply to or limit the use of land for any such purposes.

3.4.3 Public Facilities - Schools, public libraries, fire stations, art museums, churches, parish houses, Sunday school buildings, parks, water supply reservations, soldiers' and sailors' memorial buildings.

3.4.4 Municipal Buildings - Buildings owned or leased and occupied by the Town of Wayland or any committee, body or function of the Town which exercises a governmental function.

3.4.5 Hospitals - Sanitariums or hospitals, not for the insane or feeble minded. Nursing homes for the care of the sick or aged.

3.4.6 Other Public or Charitable Institutional Buildings - Public or charitable institutional buildings, not specified in subsection 3.4.3, not of a correctional nature.

3.4.7 Lodges and Social Clubs - The buildings of membership clubs devoted to outdoor sports and social and recreational buildings and premises, except those whose chief activity is customarily carried on as a gainful business.

3.4.8 Railroad Uses - Railroad passenger stations or rights of way including customary accessory services, but not including switching, storage or freight yards, or sidings.

3.4.9 Passenger Bus Terminals.

3.4.10 Telephone Buildings - Buildings used by companies offering telephone services as a regulated utility to customers.

3.4.11 Cemeteries - Including any crematory therein. Private cemeteries are not permitted in business districts.

3.5 Business Uses

3.5.1 Resident's Business Office - The office of a doctor, dentist, member of any other recognized profession, teacher, engineer, musician or real estate agent or insurance agent, in each case for use by a person residing on the premises provided there is no display of advertising except for a small professional name plate.

3.5.2 Business Offices (General) - Offices of one or more doctors, dentists, architects, lawyers and other recognized professionals; real estate, insurance and general business offices; and banks, telephone offices, and medical and dental clinics.

3.5.3 Other Offices - Offices generally, including those described in subsection 3.5.2, as well as others.

3.5.4 Other Similar Uses - Additional retail business and service uses determined by the Board of Appeals to be clearly similar to other uses permitted in the same district.

3.5.5 Resident Trades - Use of an accessory building in connection with his trade by a builder, carpenter, mason, plumber, painter, roofer, tinsmith, upholsterer, or machinist, who lives on the premises. See Section 3.3.6.

3.5.6 Shops of Builders, etc. - The shop of an electrician, painter, paper hanger, plumber or upholsterer; also, if of a size and nature similar to other business uses permitted in Business District A, the shop of a carpenter, cabinet maker, printer or sign painter may be authorized by Special Permit.

3.5.7 Livery - Boat or canoe livery and stables having horses for hire provided that the Special Permit in accordance with Section 14.5 shall include restrictions or a finding that the use will tend to protect and improve the neighborhood.

3.5.8 Owner's Roadside Stand - A roadside stand operated by or for the owner of the premises where the stand is located for the sale of produce of the land of the owner and other land within the Town. Such use requires yearly Special Permits which shall include restrictions or a finding that the use will tend to protect and improve the neighborhood.

3.5.9. Other Roadside Stand - Farm stand for sale of produce.

3.5.10 Retail Store - A store, showroom or salesroom for the conduct of the following retail business uses: the sale of food items including confectionery, dairy products, fruits, vegetables, groceries and meats; the sale of baked goods and the manufacture of same for sale on premises; the sale of dry goods, variety merchandise and handicraft work; the sale of clothing and clothing accessories; the sale of hardware, household items including appliances, furniture, furnishings and supplies; the sale of printed matter, drugs, stationery and photographic supplies.

3.5.11 Service Establishment - Barber and beauty shop; laundry agency; self-service laundry; shoe and hat repair; bicycle and household appliance repair; dressmaking; dry cleaning, pressing or tailoring shop in which no work is done on the premises for retail outlets elsewhere.

3.5.12 Restaurant - A restaurant or other place for the serving and consumption of food or beverages inside the building at tables or counters where, in the opinion of the Board of Appeals, a clearly established need of the Town will be served thereby. Such use is subject to the special requirements set forth in Section 8.5.

3.5.13 Automobile Sales, Service and Repairs - Includes automobile service and repair garages as well as automobile sales, service and repair garages. Such use is subject to the special requirements set forth in Section 8.6.

3.5.14 Gasoline Service Station - Service station for the sale of gasoline, lubricants and similar supplies, parts of motor vehicles, the making of minor repairs and adjustments to motor vehicles, other than structural changes or repairs, and providing water and compressed air where, in the opinion of the Board of Appeals, a clearly established need will be served thereby. Such use is subject to the special requirements set forth in Section 8.6.

3.5.15 Lumber, Fuel, Feed and Ice - An establishment that sells lumber, fuel, feed and ice or a contractor's yard.

3.6 Industrial Uses

3.6.1 Light Manufacturing - Light Manufacturing, employing electricity or other unobjectionable motive power, utilizing hand labor or unobjectionable machinery or processes, and free from neighborhood-disturbing odors and/or other objectionable features.

3.6.2 Research Laboratories

3.6.3 Warehouse and Distribution - Warehouses and facilities for the distribution of merchandise.

## SECTION 4.1 TABLE OF DIMENSIONAL REQUIREMENTS

| DISTRICTS | | Minimum Lot Area (1) (Sq Feet) | Maximum Lot Coverage (%) | Minimum Frontage (Feet) | Minimum Yard Setbacks (2) Front From Lot Line (Feet) | Front From ℄ of Street (Feet) | Back(3) From Lot Line (Feet) | Side(4) From Lot Line (Feet) | Maximum Height(5) The Lesser Of (Feet) | (Stories) |
|---|---|---|---|---|---|---|---|---|---|---|
| SINGLE RESIDENCE DISTRICTS | | 20,000 | 20 | 120 (14) | 30 | 55 | 30 | 15 | 35 | 2½ |
| | | 30,000 | 20 | 150 (14) | 30 | 55 | 30 | 15 | 35 | 2½ |
| | | 40,000 | 20 | 180 (14) | 30 | 55 | 30 | 15 | 35 | 2½ |
| | | 60,000 | 20 | 210 (14) | 30 | 55 | 30 | 15 | 35 | 2½ |
| ROADSIDE BUSINESS | Uses Permited In Single Residence Dists. | (6) | 20 | (6) | 60 | 55 | 30 | 15 (13) | 35 | 2½ |
| | Permitted Non-Residential Uses | 40,000 | 20 | 200(7) | 60 | | 30 | 30 (13) | 35 | 2½ |
| BUSINESS A | Gasoline Stations, Auto Sales And Auto Repair | Requirements Are Set Forth In Section 8.6 | | | | | | | | |
| | Retail, Offices, Services, Trades, etc. | (8) | 75(9) | None | 30 | 55 | 15 | 15 | 35 | |
| BUSINESS | B | None (8) | 25 | None | 60(10) | | 15(11) | 15(11) | 35 | |
| LIGHT MANUFACTURING | Gasoline Stations, Auto Sales And Auto Repairs | Requirements Are Set Forth In Section 8.6 | | | | | | | | |
| | Listed Permitted Uses | None (8) | 75(9) | None | 30 | 55 | 15 | 15 | 40 | 3 |
| LIMITED COMMERCIAL | Uses Permitted In Single Residence Dist. (12) | (6) | 20 | (6) | 30 | 55 | 30 | 15 | 35 | 2½ |
| | Permitted Non-Residential Uses (12) | None (8) | 20 | None | 100 | | 100 | 100 | 35 | 2½ |
| CONSERVATION CLUSTER DEVELOPMENT | | Requirements Are Set Forth In Section 6 | | | | | | | | |
| REFUSE DISPOSAL | | None | None | None | 30 | | 30 | 15 | None | None |
| PLANNED DEVELOPMENT | | Requirements Are Set Forth In Section 16 | | | | | | | | |

Footnotes(1) thru(14) appear in section 4.1.2

4.1.1 The Table Of Dimensional Requirements, Section 4.1, sets forth the area, lot coverage, frontage, set back and height requirements of these by-laws for the erection, construction, reconstruction or modification of any building or structure in any district in the Town. The footnotes and requirements of the remainder of this Section 4 shall apply. Additional dimensional requirements located in other Sections of the by-laws apply to placement of signs, sidewalks, driveway openings, curbs and parking and loading facilities.

4.1.2 Footnotes To Table of Dimensional Requirements

(1) Minimum Lot Area shall be calculated in accordance with subsection 4.2.1.

(2) Where subsections 4.2.2, 4.2.3, 4.2.6, 4.2.7 or 4.2.8 define a greater setback or permit a lesser setback, the provisions of those subsections shall prevail over the dimensions shown in Section 4.1.

(3) Accessory buildings are permitted in a backyard in accordance with the provisions of subsection 4.2.5. The specified maximum lot coverage applies to the primary and accessory buildings combined.

(4) Side yards shall meet the requirements of subsections 4.2.3 and 4.2.4. Required minimum side yard may in some circumstances be reduced in accordance with the provisions of subsection 4.2.4.

(5) The height limitations do not apply to chimneys, ventilators, skylights, tanks, bulkheads, penthouses, and other necessary features usually carried above roofs, nor to towers or spires of churches and other buildings, so long as such features are not used for living purposes. In a Single Residence district, the indicated height limits do not apply to a dwelling on a lot of five acres or more, or to a school; in either such case the limitation is three stories.

(6) The dimensional requirements of the nearest residential district shall apply.

(7) Existing premises in a Roadside Business District with less Frontage may be used provided that such Frontage shall not be further reduced. No building or structure shall be located nearer than 30 feet to any other detached building or structure on the premises.

(8) No minimum Lot size is specified; however, reference is made to the set back requirements of the Table (Section 4.1) and the off street parking and loading requirements of Section 15.2 as applicable.

(9) This figure decreases to 70% if the Lot is a corner lot. The required open space on either interior corner lots shall be located in such a way as, in the opinion of the building inspector, to properly light and ventilate the building and to provide access in case of fire.

(10) Exception may be made in accordance with subsection 4.2.6.

(11) Also, a building must be at least sixty feet from Residence District Boundary. Exceptions to the side line and back line set back requirements may be made in accordance with subsection 4.2.6.

(12) No building or structure shall extend within 75 feet of any other detached building or structure on the premises.

(13) No building or structure shall extend within 60 feet of any street line.

(14) Minimum front yard width shall be calculated in accordance with the requirements of subsection 4.2.9.

4.2 Additional Information on Dimensional Requirements. In addition to the requirements shown in Section 4.1 and its footnotes, the following dimensional requirements are imposed:

4.2.1 Lot Area - The area of any Lot for the purpose of ascertaining the minimum required shall not include any part of the street or way upon which it abuts; however, any area set aside by the Planning Board as a temporary turn-around area which exceeds normal street width on a dead end street intended for extension may be included.

4.2.2 Exceptions - The following are exceptions to the general requirement in a residence district that all structures must be set back at least 55 feet from the center line, or 30 feet from the street line, of any street, whichever is greater.

(a) A building in existence on March 1, 1960 may be set back no less than 50 feet of the centerline of any street.

A one-story porch attached to such a house may be set back no less than 20 feet from any street line. A centerline setback requirement shall not apply to such a porch.

A two-story porch attached to such a house which is unenclosed for at least six months of the year may project 6 feet into the front yard.

(b) In a single residence district where there are two or more existing buildings which predate the adoption of these by-laws (September 5, 1934) and which are located on the same side of the street and not separated by another street, a building or structure on a Lot lying within 200 feet of any such existing building may be located as near to the street line as the average alignment of such two or more existing buildings.

4.2.3 Visibility at Street Corners - On a corner Lot no planting, structure, or part of a building shall extend within 20 feet of any corner street line intersection so as to interfere with the traffic visibility around the corner.

4.2.4 Side Yards - Every dwelling shall have a side yard between the dwelling and each side lot line of not less than 15 feet clear width. When a Pre-existing Non-conforming Lot has less than the minimum frontage prescribed by these by-laws, a Special Permit for a side yard of a clear width which is less than the 15 feet

prescribed in Section 4.1 may be granted by the Board of Appeals.

4.2.5 Back Yards - Behind every dwelling house there shall be provided a back yard between the rear line of the house and the rear lot line, not less than 30 feet in depth.

The back yard may contain accessory buildings, each of which shall be not more than one and one-half stories high, none of which shall extend within ten feet of any lot line except as authorized by a Special Permit issued by the Board of Appeals, and all of which together shall cover no more than 30 per cent of the area of the back yard.

4.2.6 Setbacks in Business B Zones - No building or structure shall extend closer than 60 feet to any exterior street line or Residence District boundary.

Exception to the setback requirements from street lines may be granted by Special Permit from the Board of Appeals, provided that the exception does not reduce the distance to less than 15 feet.

Exception to the requirement for a 15-foot setback from an adjacent property line within Business District B may be granted by Special Permit from the Board of Appeals to permit development of an integrated group of buildings on separate parcels of land.

With respect to either such exception, the Site Plan shall be such as to minimize the generation of traffic hazards.

4.2.7 Agriculture and Animal Buildings - Any greenhouse heating plant, and any building, excepting dog kennels, in which farm or pleasure animals are kept shall be distant not less than twenty feet from any lot line.

4.2.8 Public Building Setback - No hospital, nursing home, public or charitable institutional building shall be set back less than 30 feet from any lot line.

4.2.9 Residential Front Yards - In a 20,000 square foot or 30,000 square foot zone in a single residence district, no building Lot shall be laid out, and no dwelling shall be erected on a Lot, unless the center of a circle 75 feet in diameter can be passed along a continuous line from the street property line along which the frontage of the Lot is measured to any point

of the dwelling or proposed dwelling on the Lot without the circumference intersecting any side lot lines.

In a 40,000 square or 60,000 square foot zone in a single residence district, no building Lot shall be laid out, and no dwelling shall be erected on a Lot, unless the center of a circle 100 feet in diameter can be passed along a continuous line from the street property line along which the Frontage of the Lot is measured to any point of the dwelling or proposed dwelling on the Lot without the circumference intersecting any side lot lines.

This subsection 4.2.9 shall not apply to an existing dwelling for which a building permit has been issued as of April 27, 1983, or to any alteration, extension, or structural change thereto.

4.3 Creation of Substandard Lots Prohibited. The division of a parcel of land in a manner which will produce a parcel which does not have the minimum frontage and acreage required for the zone in which the land is located is prohibited. A division or sale of land which results in conforming lots is permitted.

## 5.0 RESIDENTIAL DISTRICTS

5.1 Permitted Uses. In Single Residence Districts only the uses shown as permitted in the Table of Uses, Section 3.1, shall be permitted. No building or premises shall be used and no building or structure shall be erected which is intended or designed to be used in whole or in part for the landing or taking off of aircraft.

5.2 Height, Area and Yard Requirements. The height, area, and yard requirements shown in Section 4 are applicable.

5.3 Accessory Dwelling Unit. An Accessory Dwelling Unit is permitted in an owner-occupied single residential dwelling pursuant to a Special Permit provided that:

5.3.1 It occupies no more than 35% of the gross floor area of the building, exclusive of any garage, shed or similar structure attached to the principal building.

5.3.2 The Lot on which the accessory unit is to be situated contains at least 20,000 square feet, and at least 75% of the requirement for the district in which it is located.

5.3.3 No more than one accessory unit shall exist on the Lot on which it is to be situated.

5.3.4 The building in which the accessory unit and the principal residence are to be situated existed on January 1, 1980.

5.3.5 Any additions made after January 1, 1980, to a building for the purpose of accommodating an accessory unit shall not increase the habitable area of the original building by more than 20%; any such additions must meet all zoning requirements; no additions for the purpose of adding an accessory unit shall be allowed on a nonconforming Lot.

5.3.6 Either the accessory unit or the principal residence shall be occupied by the owner of the Lot on which the accessory unit is situated.

5.3.7 The accessory unit and the principal residence shall each have two means of egress to grade which are in compliance with the Building Code.

5.3.8 Sufficient parking spaces, not less than ten feet by twenty feet, shall be provided off-street for the occupants of each dwelling unit.

5.3.9 The Board of Health shall have given written approval that the septic system serving the dwelling with the accessory unit is in compliance with the Rules and Regulations of the Wayland Board of Health in effect at the time of application for Special Permit, unless a variance is granted by the Board of Health.

5.3.10 Where a Special Permit has been issued pursuant to the provisions of this Section, the permitted use must commence within one year, otherwise said permit shall lapse.

5.3.11 Floor plans of the accessory unit and the principal residence, and a plot plan showing the location of the building on the Lot, shall have been filed with the application after review by the Building Inspector.

5.3.12 Application for a building permit or certificate of occupancy shall be made to the Building Inspector, and no use or occupancy shall commence prior to the issuance of a Certificate of Occupancy by the Building Inspector.

5.3.13 A special permit issued under this Section shall have a maximum term of five years, after which it must be renewed for a further term.

5.4 Conversion to Two Housekeeping Units. The Board of Appeals may, grant a Special Permit for the conversion of a dwelling for a single housekeeping unit existing on September 5, 1934 into a dwelling for two housekeeping units provided that:

5.4.1 The Lot on which the dwelling is located conforms to the area and frontage regulations set forth in these By-Laws in effect at the time that the application for a permit shall have been filed.

5.4.2 Each housekeeping unit shall have its own kitchen and at least one bathroom.

5.4.3 Each housekeeping unit shall provide for sufficient space to park two automobiles off street.

5.4.4 A Disposal Works Construction Permit for such use shall have been granted by the Board of Health.

## 6.0 CONSERVATION CLUSTER DEVELOPMENT

6.1 Purpose. The purpose of the Conservation Cluster Development is to promote the more efficient use of land in harmony with its natural features, encourage the preservation of open land for conservation, agriculture, open space, and recreational use, preserve historical and archeological resources, protect existing or potential municipal water supplies in accordance with the intent of this by-law. An owner or owners of a tract of land within a Single Residence District, or an authorized agent or agents of such owner or owners, may apply for a Special Permit exempting such land from the lot area and frontage, yard, setback and width of lot requirements of Section 4.0. The Planning Board is designated as the Special Permit granting authority for all purposes under this Section and shall adopt rules and regulations with respect to the administration of applications for special permits under this Section. The Planning Board may, under restrictions which will carry out the provisions of this Section and tend to protect and improve the neighborhood, direct in writing the issuing of Special Permits for Conservation Cluster Developments.

6.2 Site Plan. In addition to any other documents or information required by the Planning Board pursuant to its rules and regulations adopted hereunder, application for a Special Permit pursuant to this Section shall be accompanied by a Site Plan (the "Plan"), which shall show all of the information required for a definitive subdivision plan as specified in the Wayland Planning Board Subdivision Rules and Regulations, such additional information required by paragraphs a-e of Section 14.6.1 of these by-laws as the Planning Board deems necessary, and, to the extent applicable, all proposed instruments to be recorded with the plans.

6.3 Basic Requirements. A Conservation Cluster Development may be permitted provided that:

6.3.1 The Planning Board finds that the proposed plan is in harmony with the purposes and intent of this by-law and this Section;

6.3.2 The area of the tract of land is not less than ten (10) acres;

6.3.3 The number of lots on which there is to be a single dwelling unit does not exceed the larger of the following:

(a) The number of building lots which could be created in the tract shown on such Plan without a Special Permit hereunder, plus one Lot for each ten

of such building lots which could otherwise be created.

For example, if:

T = total number of permissible lots under Section 6,

N = number of lots which could be created in the tract, then:

$$T = N + \frac{N}{10};$$

or

(b) The number of building lots obtained by dividing 90% of the total area of the tract, exclusive of land situated within the Flood Plain or designated as Wetlands by the Conservation Commission, by the minimum lot size permitted in the district within which the tract is located, plus one lot for each ten lots so arrived at from such division.

For example, if:

T = total number of permissible lots under Section 6,

A = total area of the tract

W = wetlands area

FP = flood plain area

M = minimum lot size, then:

$$T = \frac{.9 \times (A-W-FP)}{M} + \frac{.9 \times (A-W-FP)}{10M}$$

6.3.4 Each of the building lots shown on the Plan has adequate frontage, but no less than fifty (50) feet, on a public or private way.

6.3.5 Each of the building lots shown on the Plan is of a size and shape as shall provide a building site which shall be in harmony with the natural terrain and other features of the tract, but no such lot shall have an area of less than 20,000 square feet as shown on the Plan.

6.3.6 The front, side and rear yards of each Lot shall be shown on the Plan by dashed lines indicating the area within which a building may be built; provided that all dwellings and accessory buildings shall be set back at least fifteen (15) feet from the perimeter of the tract and fifteen (15) feet from any open land.

6.3.7 At least 35% of the land area of the tract, exclusive of land set aside for road area, shall be open land, and that the open land shall include all land not dedicated to roads or building lots. For the purpose of this Section, open land is defined as a parcel or parcels of land or an area of water, or a combination of land and water, not including roads or ways, whether public or private, to be used for open space, conservation, agriculture, outdoor recreation, park purposes, or some combination of the foregoing,

6.3.8 Open land shall be conveyed as follows:

(a) to the Town, which shall accept it for park or open space use; or

(b) to the Sudbury Valley Trustees, Inc. and its successors, or to another non-profit conservation organization approved by the Planning Board, the principal purpose of which is the conservation of open space; or

(c) to a corporation, trust or association owned or to be owned by the owners of lots or residential units within the tract, provided that if such a corporation, trust or association holds title, ownership thereof shall pass with conveyances of the lots or residential units;

If ownership is in an entity other than the Town (as in (b) or (c) above) there shall be sufficient rights in the Town to provide that such land shall be kept in an open or natural state, and provision shall be made so that the Town can enforce any other restrictions or easements imposed upon the open land by the Planning Board as conditions of its Special Permit grant.

6.3.9 Subject to the approval of the Board of Health, as otherwise required by law, the Planning Board may permit the open land to be used for subsurface waste disposal where the Planning Board finds that such use will not be detrimental to the character or quality of the open land.

6.3.10 All dwelling units shall be in detached buildings and there shall not be more than one dwelling unit in a building.

6.3.11 If the land shown on the Plan includes land in two Residence Zones, all of the land shall, for all purposes of this Section, be considered as lying entirely within the zone having the largest area and frontage requirements, except that if 75% or more of the total area shown as building lots lies within one Residence Zone, all of the land shall be considered as lying within that zone.

6.3.12 No Lot shown on the plan for which a permit is granted under this Section may be further subdivided and a notation to this effect shall be shown on the plan.

6.4 Special Permit and Planning Board Procedures. The Planning Board shall give notice and hold a public hearing in accordance with law, which hearing shall be held within sixty-five (65) days after the filing of the application with the Planning Board.

6.4.1 The Planning Board may, after due consideration of the reports and recommendations of the Conservation Commission and the Board of Health, grant a Special Permit provided that the proposed Plan has been approved in accordance with Section 6.5.

6.4.2 If a Special Permit is granted, the Planning Board shall impose as a condition that the open land shall be conveyed, free of any mortgage interest or security interest, and subject to a perpetual restriction of the type described, prior to the Planning Board's release of any lots from the subdivision restriction covenant or, if there is no such covenant, prior to the Building Inspector's issuance of a building permit for any lot. The petitioner shall provide satisfactory assurance of said conveyance and recording in the form of copies of the recorded instruments bearing the recording stamp, and of such freedom from encumbrances.

6.4.3 The Planning Board may, in appropriate cases, impose as a condition of the Special Permit further restrictions, conditions and safeguards upon the tract, or parts thereof, to protect and promote the health, safety, convenience and general welfare of the inhabitants of the Town.

6.5 Planning Board Decision. In connection with the granting or denying of a Special Permit under this Section, the Planning Board shall issue to the applicant and shall file with the Town Clerk a written decision. Such decision must be reached and filed with the Town Clerk and sent or delivered to the Applicant within ninety (90) days after the

public hearing held on the application for the Special Permit. Failure to so act shall be deemed approval in accordance with law.

The decision shall include as a minimum:

6.5.1 A determination of the maximum number of lots upon which dwellings could be constructed without a Special Permit hereunder; and a determination of the area of the tract usable for residential construction in accordance with subsection 6.3.3.

6.5.2 A general description of the neighborhood in which the tract lies and the effect of the plan on the area.

6.5.3 The relation of the proposed development to long range plans of the Town, if any.

6.5.4 The extent to which the proposed development is designed to take advantage of the natural terrain of the tract.

6.5.5 The extent to which the proposed open land is of such a size, shape and location and has such adequate access so as to benefit the Town.

6.5.6 If the Planning Board grants the Special Permit, the finding required by subsection 6.3.1.

6.5.7 If the Planning Board denies the Special Permit, its reasons for so doing.

6.5.8 If the Planning Board disagrees with the recommendations of the Conservation Commission or the Board of Health, its reasons for so doing.

6.5.9 If by the terms of the Special Permit the Planning Board permits the open land to be used for subsurface waste disposal, the finding required by subsection 6.3.9 shall be included.

6.6 Special Permit Lapse or Amendment.

6.6.1 A Special Permit granted under this Section shall lapse within eighteen months if substantial construction has not begun by such date except for good cause shown and approved by the Planning Board.

6.6.2 Following the granting by the Planning Board of a Special Permit under this Section, it may, upon application and for good cause shown after notice and a public hearing as required for granting a Special Permit, amend the Plan solely to make changes in lot

lines shown on the Plan; provided, however, that no such amendment shall:

(a) Grant any reduction in the size of the open land as provided in the Special Permit;

(b) Grant any change in the layout of the ways as provided in the Special Permit;

(c) Increase the number of building lots as provided in the Special Permit; or

(d) Decrease the dimensional requirements of any building lot below the minimum required by this by-law.

## 7.0 ROADSIDE BUSINESS DISTRICT

7.1. Permitted Uses. In a Roadside Business District only the uses shown as permitted in the Table of Uses in Section 3.1 shall be permitted.

If a limitation or requirement contained in Section 5 or Section 8, as well as a limitation or requirement contained in this Section 7, is applicable to any use in a Roadside Business District, the more stringent of the two requirements shall be imposed.

7.2. Height, Area and Yard Requirements. The height, area and yard requirements applicable in a Roadside Business District are shown in Section 4.

7.3. Off-Street Parking and Loading; Outdoor Use Limitations. In a Roadside Business District:

7.3.1 Except where adjacent premises are served by the same driveway openings, each Lot shall be provided with two driveway openings onto the street, one of which shall be used for entrance to and the other for exit from the premises.

Not more than two such openings shall be permitted for each 200 feet of street frontage.

Such openings shall be not more than 20 feet in width at the street line and located not less than 40 feet apart measured along said line, and not less than 20 feet from side lot lines.

Where approval by the Massachusetts Department of Public Works is required in connection with driveway openings onto state highways, the provisions of this

subparagraph 7.3.1, shall be waived and the regulations of said department shall be applicable.

7.3.2 Each Lot shall provide adequate areas off the street for parking of cars of employees and customers in order to avoid undue interference with traffic. The issuance of a building permit shall not be construed as an approval of the adequacy of such parking areas.

7.3.3 Not more than one sign, other than those which are attached to and are part of the architectural design of a building or structure, shall be permitted on each Lot.

Accessory signs shall not be located nearer than 30 feet to any property or street line.

The requirements of Section 15.1 are also applicable.

7.4. Sidewalks. Reference is made to Section 15.5 for requirements for sidewalks.

## 8.0 BUSINESS DISTRICT A

8.1 Permitted Uses. In Business District A only the uses shown as permitted in the Table of Uses in Section 3.1 shall be permitted, and then only in a manner which does not create offensive or unreasonable noise, vibration, smoke, gas, fumes, odor, dust or other objectionable features and which is not dangerous to the public health or safety.

8.2 Height, Area and Yard Requirements. The height, area and yard requirements applicable in Business District A are shown in Section 4. Additional dimensional regulations for automobile sales, service and repair garages and for gasoline service stations are described in the special provisions applicable to those uses (Section 8.6).

8.3 Off-Street Parking and Loading; Outdoor Use Limitations. Reference is made to Section 15.1 as to limits on outdoor display of merchandise and on location of signs and exterior lighting generally; and to Section 15.2 as to requirements for off-street parking and loading areas, including requirements for the lighting of parking areas.

8.4 Sidewalks. Reference is made to Section 15.5 for requirements for sidewalks.

8.5 Special Provisions Relating to Restaurants and other Places for the Serving of Food or Beverages. In

addition to restrictions and limitations applicable to businesses generally in Business District A, the following special provisions shall be applicable to Restaurants:

8.5.1 The Board of Appeals may permit a restaurant where in its opinion a clearly established need will be served by such a use of the premises.

8.5.2 The Board of Appeals shall also satisfy itself that the use of the premises shall not be against the public interest, shall not derogate from the character of the neighborhood in which the use is to occur, and shall not otherwise be injurious to the inhabitants or their property or dangerous to the public health or safety.

8.5.3 The Board of Appeals may permit food or beverages to be served or consumed on the premises outside the building, subject to such safeguards and limitations as it may impose in its approval of the site plan, so long as such use shall be incidental to such consumption inside the building.

8.5.4 The area of the premises to be traversed by motor vehicles shall be paved or otherwise covered with a suitable material.

8.5.5 Properties in abutting residential districts shall be protected from headlight glare by such methods as the Board of Appeals may require.

Any protection required shall be maintained in good condition at all times.

No signs or advertisements shall be attached to any protective screening or fence except on the side facing the use of the premises.

Such protective screening or fence may be interrupted by normal entrances or exits.

8.5.6 A raised granite curb at least six inches in height shall be installed along the edge of the street except at driveway openings.

8.5.7 Illumination of outdoor areas shall be shielded so as not to shine upon any property in a residential district.

8.5.8 The use of banners, pennants, pinwheels, or other advertising novelties is prohibited.

8.5.9 The Board of Appeals may impose such additional conditions with respect to the size,

construction, use, maintenance and operation of the premises and the vehicular and pedestrian access thereto as may be appropriate.

8.6 Special Provisions Relating to Automobile Sales and/or Service and Repair Garages and to Gasoline Service Stations. In addition to restrictions and limitations applicable to businesses generally in Business District A, the following special provisions shall be applicable to automobile sales and/or service and repair garages and to gasoline service stations:

8.6.1 The following special provisions shall be applicable to all automobile sales and/or service and repair garages and all gasoline service stations:

(a) The entire area of the premises to be traversed by motor vehicles shall be paved.

(b) No parts or partially dismantled vehicles shall be stored out of doors.

(c) With respect to sidewalks, the strip between the sidewalk and the street property line shall be maintained as a grass area, and the four foot strip between the sidewalk and the remainder of the lot shall be planted with suitable evergreen shrubs. Section 15.5 is also applicable.

(d) Driveways shall be paved and join the street and cross sidewalks at right angles, shall not be more than 24 feet nor less than ten feet wide at any point, shall be at least ten feet from any lot line and shall be at least 20 feet apart.

No such driveway shall be within 25 feet from the intersection of street lines, except that in the case of a gasoline service station the drive may be less than 25 but must be at least 20 feet from any such intersection.

No more than two driveways shall be permitted for each 100 feet of street Frontage.

(e) Buildings shall occupy no more than 25% of the lot.

(f) The minimum set back for all structures shall be 40 feet from the street property line, with minimum setbacks from other lot lines to be 25 feet; provided, however, for gasoline service stations, gasoline pumps may be set within 40 feet but shall be at least 20 feet from the street

property line and 25 feet from side and back property lines.

(g) The maximum height of any structure shall be 35 feet. Note (5) to Section 4.1 (relating to the exclusion of certain above-the-roof structures) is applicable.

(h) Properties in abutting residential districts shall be protected from headlight glare by either (x) a strip at least four feet wide, densely planted with shrubs at least four feet high at the time of planting and which are a type that may be expected to form a year-round dense screen at least six feet high in three years, or (y) an opaque fence of uniform appearance at least five feet high, but not more than seven feet high, above finished grade.

The protection afforded shall be maintained in good condition at all times.

No signs or advertisements shall be attached thereto except on the side facing the use of the premises.

Such protective screening or fences may be interrupted by normal entrances or exits.

(i) A raised granite curb at least six inches in height shall be installed along all street lines except at driveway openings.

(j) Illumination on outdoor areas shall be shielded so as not to shine on any property in a residential district.

(k) The use of banners, pennants, pinwheels or other advertising novelties is prohibited.

8.6.2 The following special provisions are applicable to automobile sales and/or service and repair garages but not to gasoline service stations:

(a) Washing, lubricating and major repairing of vehicles are to be performed inside of enclosed buildings.

(b) Dispensing of fuels, lubricants, and fluids is to be done entirely on the premises.

(c) Auto dismantling and junk operations are prohibited.

8.6.3 The following special provisions are applicable to gasoline service stations but not to automobile sales and/or service and repair garages:

(a) The Board of Appeals may issue a Special Permit where in the opinion of the Board a clearly established need will be met.

(b) Washing, lubricating and making of repairs shall be performed inside the building.

(c) No major repairs, such as body work, shall be performed.

(d) Sales or rental or display for sale or rental of motor vehicles or trailers is prohibited.

(e) No services or merchandise other than accessory, portable automotive merchandise may be displayed or sold on the premises.

(f) No vehicles shall be stored out-of-doors, except for those used by employees and those used in direct operation of the business.

8.6.4 Special provisions with regard to minimum lot area are as follows:

(a) For automobile service and repair garages, minimum Lot Area shall be 30,000 square feet and minimum Frontage shall be 125 feet.

(b) Minimum Lot Area for automobile sales and for automobile sales, service and repair garages shall be two acres and minimum Frontage shall be 200 feet, and no structure shall be less than 100 feet from any residential building.

(c) Minimum Lot Area for gasoline service stations shall be 40,000 square feet and minimum Frontage shall be 200 feet on any street and no structure shall be set back less than 100 feet from any residential building.

## 9.0 BUSINESS DISTRICT B

9.1 Permitted Uses. In Business District B only the uses shown in the Table of Uses in Section 3.1 shall be permitted, and then only in a manner which does not create offensive or unreasonable noise, vibration, smoke, gas, fumes, odor, dust or other objectionable features and which is not dangerous to the public health or safety.

9.2 Height, Area and Yard Requirements. The height, area and yard requirements applicable in Business District B are shown in Section 4.

9.3 Off-Street Parking and Loading; Outdoor Use Limitations. No outdoor display of merchandise for sale, other than farm and nursery produce, shall be permitted.

All signs and all outdoor displays shall be at least 15 feet from the exterior line of any public or private way.

Reference is made to Section 15.1 as to requirements for signs and exterior lighting generally; and to Section 15.2 as to off-street parking and loading requirements, including requirements for the lighting of parking areas.

9.4 Sidewalks. Reference is made to Section 15.5 for requirements for sidewalks.

9.5 Special Provisions Relating to Restaurants and other Places for the Serving of Food or Beverages. The provisions of Section 8.5 are applicable in Business District B as well as in Business District A.

## 10.0 REFUSE DISPOSAL DISTRICT

10.1 Permitted Uses. In a Refuse Disposal District only the following uses are permitted:

(a) The disposal and treatment of septic tank pumpings under applicable regulations at a septic treatment facility.

(b) The disposal of refuse at such sanitary landfill areas as may have been designated by the Board of Health, all in accordance with its rules and regulations.

(c) The removal of such vegetation, sod, loam, gravel, stone and other earth materials as may be authorized from time to time by the Road Commissioners. Reference is made to Section 15.3 as to special provisions applicable to such removals.

## 11.0 LIGHT MANUFACTURING DISTRICT

11.1 Permitted Uses. In a Light Manufacturing District only the uses shown as permitted in the Table of Uses in Section 3.1 shall be permitted. If a limitation or requirement contained in Section 5, Section 8, or Section 9, as well as any limitation or requirement contained in this Section 11 is applicable to any use in a Light Manufacturing District, the more stringent of the requirements shall be imposed.

11.2 Height, Area and Yard Requirements. The height, area and yard requirements shown in Section 4 are applicable in a Light Manufacturing District.

11.3 Off-Street Parking and Loading; Outdoor Use Limitations. Reference is made to Section 15.1 as to requirements for signs and exterior lighting and outdoor display. See also Section 8.6 as applicable.

Off-Street parking and loading requirements appear in Section 15.2.

11.4 Sidewalks. Reference is made to Section 15.5 for requirements for sidewalks.

## 12.0 LIMITED COMMERCIAL DISTRICT

12.1 Permitted Uses. In a Limited Commercial District only the uses shown as permitted in the Table of Uses in Section 3.1 shall be permitted. If a limitation or requirement contained in Section 5, as well as a limitation or requirement contained in this Section 12, is applicable to any use in a Limited Commercial District, the more stringent of the two requirements shall be imposed.

12.1.1. An approval given by the Board of Appeals prior to June 1, 1954 for the uses described in Section 3.5.3, 3.6.1, 3.6.2 and 3.6.3 shall be considered to be a Site Plan Approval.

12.2 Height, Area and Yard Requirements. The height, area and yard requirements shown in Section 4 are applicable in a Limited Commercial District.

12.3 Off-Street Parking and Loading; Outdoor Use Limitations. In a Limited Commercial District:

12.3.1 Premises shall have an adequate area for off-street parking of motor vehicles incident to use of the premises. The issuance of a building permit shall not be construed as approving the adequacy of such parking area.

12.3.2 Not more than one billboard or other advertising sign within public view shall be permitted on each premises other than signs not subject to Town regulations. The requirements of Section 15.1 are also applicable.

12.3.3 All facilities and all articles stored on the premises shall be located within enclosed buildings except as otherwise provided in a Special Permit granted by the Board of Appeals for the use of an adequately screened storage yard.

12.3.4 No loading platforms shall be located on the street side of any building or on the side of any building facing a residence district on any lot which adjoins a residence district.

12.4 Sidewalks. Reference is made to Section 15.5 for requirements for sidewalks.

12.5 Construction Criteria. Buildings and structures in a Limited Commercial District shall conform to the following requirements:

12.5.1 Structural members shall be of non-combustible construction having the necessary strength and stability and having fire resistance ratings of not less than four hours for exterior non-bearing walls and for wall panels, for columns and for wall-supporting girders and trusses, and not less than three hours for floors, for roofs, and for floor and roof-supporting beams, girders and trusses.

12.5.2 Exterior bearing walls and interior bearing walls, if any, shall be of masonry or reinforced concrete.

## 13.0 FLOOD PLAIN, WATERSHED PROTECTION AND FEDERAL FLOOD PROTECTION DISTRICTS

13.1 Overlying Districts. Any land lying within the Federal Flood Protection District, the Flood Plain District or the Watershed Protection District shall also be subject to the regulations of the Underlying Districts to the extent not inconsistent with the regulations for the applicable Overlying District or Districts and shall in addition conform to the additional requirements of the one or more Overlying Districts in which the land lies. In the event of any conflict between the regulations applying to two or more Overlying Districts which apply to the same parcel of land, the conflict shall be resolved by applying the most restrictive provisions.

13.2 Flood Plain District. The purpose of the establishment of the Flood Plain District is to protect the health and safety of persons and property against the hazards of flooding along the Sudbury River.

13.2.1 The Flood Plain District consists of all land and water areas in the Town of Wayland subject to seasonal or periodic flooding by the Sudbury River, except for temporary excavations, whose surface lies below elevation 124 feet above mean sea level. The boundaries of the flood plain district are described in Section 1.4.

13.2.2 In the Flood Plain District, any use permitted by these by-laws shall be permitted except that (a) no filling, excavating or transferring of any material which will reduce the natural flood-water storage capacity or interfere with the natural flow or recession of any flood water shall be done in the Flood Plain District, and (b) no structure shall be erected or placed in the Flood Plain District unless a Special Permit for such action or structure has been issued by the Board of Appeals. Said Special Permit shall state the conditions under which the action or structure may be done or erected or placed in the Flood Plain District.

13.2.3 Any persons seeking a Special Permit to fill, excavate or transfer material, or to erect or place a structure within the Flood Plain District shall submit an application to the Building Inspector describing the work to be done, accompanied by three copies of the plans and specifications for the proposed filling, excavating or transferring of material and for any proposed structure and in each case, a plan of the premises on which the same is to be done or situated. Such plans and specifications shall have been approved

by the Board of Health. The Building Inspector shall transmit copies of the application, with plans and specifications, forthwith to the Board of Appeals and to the Conservation Commission. The Building Inspector shall not issue any building permit, nor shall any of the proposed work be begun, until the Board of Appeals shall have issued a Special Permit pursuant to this Section 13.2.

13.2.4 The Board of Appeals shall issue a Special Permit under this Section 13.2, subject to the conditions it determines to be necessary to satisfy the conditions of this Section 13.2 if it finds that the proposed use of the premises, the filling, excavating or transferring of material, and the building or placing of any structure thereon, will not endanger the health or safety of the users or occupants thereof or of any other land in or adjacent to the Flood Plain District. In deciding applications for a permit under this Section 13.2, but without limiting the scope of the discretion of the Board of Appeals, the Board will assure to a degree consistent with reasonable use of the premises for purposes permitted in the district in which located the following:

(a) That other land in and adjacent to the Flood Plain District is protected against detrimental or offensive uses of the premises;

(b) that the methods of drainage are adequate; and

(c) that any proposed filling, excavating or transferring of materials would not result in pollution or contamination of the river or its watershed, reduction of seasonal high water storage areas, interference with the flow or recession of flood waters, or risk to the health or safety of users or occupants of land in the Flood Plain District or adjacent thereto.

In addition, with respect to any structure referred to in an application for a Special Permit under this Section 13.2, the Board of Appeals shall assure that areas to be used or occupied by human beings shall be at an elevation above mean sea level of at least 125 feet, and that safe vehicular and pedestrian movement to, over and from the premises is provided over ways having an elevation above mean sea level of at least 125 feet.

13.2.5 Nothing contained in this Section 13.2 shall limit the authority of the Board of Health with respect to premises in the Flood Plain District or limit the authority relative thereto of the Conservation

Commission pursuant to M.G.L. Chapter 131, Section 40 or limit the applicability of building codes.

13.2.6 In the event that the Board of Appeals shall find that the site selected by the applicant for the work to be done is not accessible to waters of the Sudbury River at flood stages up to 124 feet above mean sea level, it may excuse the applicant from complying with the requirements of this Section 13.2 even though the site is included in the Flood Plain District.

13.2.7 The portion of any Lot in a Flood Plain District may be used to meet the dimensional requirements for the district in which the remainder of the lot is situated.

13.3 Watershed Protection District. The purpose of the Watershed Protection District is to preserve and protect the streams and other water courses in the Town and their adjoining lands; to protect the health and safety of persons and property against the hazards of flooding; to preserve and maintain the ground water table for water supply purposes; to protect the community against the detrimental use and development of lands adjoining such water courses and to conserve the watershed areas of the Town for the health, safety and welfare of the public.

13.3.1 The boundaries of the Watershed Protection District are described in Section 1.4.

13.3.2 Except as provided in subsection 13.3.4,

(a) No building, wall, dam, or other structure shall be erected, altered or moved for any purpose, provided that non-commercial signs not exceeding four square feet in size, tents, fences, wildlife management shelters, foot paths, bicycle paths, horse paths and foot bridges are permitted if they are accessory to lawful primary uses in a single residence district and they do not affect the natural flow pattern of any water course.

(b) Dumping, filling, excavating or transferring of any material which will reduce the natural floodwater storage capacity or interfere with the natural flow patterns of any water course within the Watershed Protection District is prohibited.

13.3.3 The following uses, insofar as permitted in single residence districts, are permitted as a matter of right subject to the provisions of subsection 13.3.2:

(a) Conservation of soil, water, plants and wildlife;

(b) Outdoor recreation including play and sporting areas, nature study, boating, fishing and hunting, where otherwise legally permitted;

(c) Proper operation and maintenance of dams and other water control devices, including temporary alterations of the water level for emergency or maintenance purposes, and including removal of flashboards of a privately owned dam in order to lower the water level so as to exclude from being covered by water any land which was not flooded or saturated prior to the erection of the dam;

(d) Grazing, farming, nurseries, truck gardening and harvesting of crops;

(e) Forestry;

(f) Uses accessory to residential or other primary uses, such as flower or vegetable gardens, lawns, pasture or forestry areas.

(g) Any religious use or any educational use which is religious, sectarian, denominational or public as provided for by M.G.L. Chapter 40A Section 2.

13.3.4 Any person desiring a Special Permit to fill, excavate or transfer material, or to erect or place a structure within the Watershed Protection District shall submit a written application to the Building Inspector for a Special Permit accompanied by four copies of plans and specifications of the proposed work and plans of the premises on which the work is proposed. The Building Inspector shall forthwith transmit the application, plans and specifications to the Board of Appeals, the Board of Health and the Conservation Commission. No Building Permit shall be issued by the Building Inspector nor shall any of the work proposed be commenced until the Board of Appeals shall have issued a Special Permit under this Section.

Upon the issuance of a Special Permit by the Board of Appeals, and subject to the conditions hereinafter specified and such other special conditions and safeguards as the Board of Appeals deem necessary to fulfill the purposes set forth in subsection 13.3.1, the following uses, structures and actions to the extent permitted in single resident districts are permitted:

(a) Duck-walks and boat landings;

(b) Appropriate municipal uses, such as waterworks pumping station and parks;

(c) Temporary storage of materials or equipment;

(d) Dams, excavations or grading, consistent with the purposes of this Section, to create ponds, pools or other changes in water courses, for swimming, fishing or other recreational uses, agricultural uses, scenic features or draining improvements;

(e) Driveways and roads;

(f) Any other filling excavating or transferring of any material, or erection, alteration, enlargement, removal or demolition of any structure, upon the condition that with respect to each such action and structure the Board of Appeals determine that granting a Special Permit therefor would not result in any substantial risk of pollution or contamination of any waterway or pond, substantial reduction of seasonal high water storage areas, substantial reduction of ground water absorption areas, which serve the public water supply or other derogation from the intent and purpose of this Section 13.3.

13.3.5 The portion of any Lot in a Watershed Protection District may be used to meet the dimensional requirements for the district in which the remainder of the lot is situated.

13.3.6 All water bodies encircled by the Watershed Protection District are hereby included within said District.

13.3.7 Nothing contained in this Section 13.3 shall limit the authority of the Board of Health with respect to premises in the Watershed Protection District, or limit the authority relative thereto of the Conservation Commission.

13.4 Federal Flood Protection District.

13.4.1 The purpose of this Section 13.4 is to carry out the purposes of the National Flood Insurance Program which will enable interested persons to purchase insurance against loss resulting from physical damage to or loss of real property or personal property related thereto arising from a flood.

13.4.2 The boundaries of the Federal Flood Protection District are described in Section 1.4.

13.4.3 Within Zone A, as shown on the Flood Insurance Rate Map (FIRM), where the base flood

elevation is not provided on the FIRM, each applicant for a building permit for any structure shall obtain any existing base flood elevation data and it shall be reviewed by the Building Inspector for its reasonable utilization toward meeting the elevation or flood-proofing requirements, as appropriate, of the State Building Code (current Section 744).

13.4.4 In the Floodway, designated on the Flood Boundary and Floodway Map, the following provisions shall apply:

(a) All encroachments, including fill, new construction, subsantial improvements to existing structures and other development are prohibited unless certification by a registered professional engineer or architect is provided by the applicant for a building and/or special permit for any such encroachment within the Floodway demonstrating that such encroachment shall not result in an increase in flood levels during the occurence of the 100-year flood.

(b) Any encroachment meeting the above standard shall comply with the flood-plain requirements of the State Building Code.

## 14.0 ADMINISTRATION AND ENFORCEMENT

14.1 Building Inspector. The Board of Selectmen shall designate a Building Inspector. The term "Inspector of Buildings" as used in these by-laws, shall refer to the Building Inspector.

14.1.1 The Building Inspector shall be charged with the enforcement of these zoning by-laws, and any conditions or requirements of Special Permits, Site Plan Approvals, and Variances issued under these by-laws.

14.1.2 The Building Inspector shall issue Building and Occupancy Permits, Condemnation and Demolition Orders, and other permits specified in the currently applicable Massachusetts Building Code and other Town by-laws.

14.1.3 The Building Inspector shall issue no permit under any application of any kind, unless the plans and specifications which shall accompany such application and the intended use of any building or premises shall be, in all respects, in conformity with the provisions of these by-laws.

14.2 Zoning Board of Appeals. A Zoning Board of Appeals of three members and three associate members to be appointed by the Selectmen is hereby created under provisions of M.G.L. Chapter 40A, as amended, to assume the duties and powers given to such Board by said Chapter 40A and by these by-laws. The term "Board of Appeals" as used in these by-laws shall mean the Zoning Board of Appeals.

14.3 Application for Permits, Appeals, Variances, etc. Every application for a building or zoning permit shall be accompanied by an adequate sketch and written description of the lot, showing the buildings thereon, the location of any proposed building on the lot and the plans for any proposed building or construction.

The foregoing shall in every case comply with the provisions of these by-laws and of any procedural regulations adopted by the Board of Appeals.

14.4 Variances. The Board of Appeals shall hear and decide petitions for variances for use or activity pursuant to the provisions of M.G.L. Chapter 40A, Sections 10 and 11.

14.5 Special Permits. Certain uses are designated in these by-laws as requiring Special Permits. Special Permits are granted by the Zoning Board of Appeals, or when specifically so provided in these by-laws, by the Planning Board. The term "Board" as used in this Section 14.5 shall refer to the Zoning Board of Appeals or the Planning Board, as applicable.

14.5.1 Upon application for a Special Permit, the Board shall give public notice by publication in a newspaper, posting, and by mail to the applicant and all parties in interest as defined in M.G.L. Chapter 40A, Section 11 and shall hold a public hearing within 65 days of the filing of the application.

The Board must reach a decision within 90 days following the public hearing, which shall be filed with the Town Clerk and sent or delivered to the applicant. Failure to so act shall be deemed approval in accordance with law.

14.5.2 The applicant shall show to the satisfaction of the Board that the use of the premises for which application is made:

(a) shall not be against the public interest;

(b) shall not derogate from the character of the neighborhood in which such use is to occur;

(c) shall not be detrimental or offensive because of noise, vibration, smoke, gas, fumes, odor, dust or other objectionable features;

(d) shall not otherwise be injurious to the inhabitants or their property, or dangerous to the public health and safety.

14.5.3 When not so satisfied, the Board shall refuse a permit.

14.5.4 When, in the opinion of the Board, such a permit may be granted if accompanied by conditions specially designed to safeguard the district and the Town, it shall impose such conditions and make them a part of the decision, and they shall be made a part of the permit issued by the Board.

14.5.5 A Special Permit granted under this Section shall lapse within two years if substantial construction or use has not begun by such date, except for good cause shown and approved by the Board, or otherwise provided in these by-laws.

14.6 Site Plan Approval. All business or commercial buildings in Business, Light Manufacturing, Industrial, Limited Commercial, or Roadside Business Districts as further defined in and/or with exceptions as defined in Section 3.1, shall be constructed, reconstructed, altered, enlarged, or used, and the premises shall be used for a business or commercial purpose, only in conformity with a site plan bearing an endorsement of approval by the Board of Appeals.

14.6.1 Said site plan shall include the information listed below unless otherwise permitted by the Board of Appeals. Preliminary site plans may be submitted without application where deemed appropriate by the Board of Appeals.

(a) The site plan shall be suitable for recording and shall show all existing and proposed lot lines, easements, rights-of-way, and other matters then on record at the Middlesex, South District, Registry of Deeds. It shall also show relevant physical features of the premises including natural land features (such as topographical data), manmade improvements (surface and sub surface) including allstructures, water courses, ponds, brooks, wetlands, flood plains, existing and proposed ditches, culverts, and other water courses, methods of handling surface and sub surface drainage, ways for vehicular and pedestrian access, and such other information as the Board of Appeals may require.

(b) The applicant shall submit such material as may be required to permit the Board to evaluate the impact of the work or the use on water resources, including measures proposed to prevent pollution of surface or ground water, erosion of soil, excessive run-off of precipitation, excessive raising or lowering of the water table, flooding of other properties.

(c) The applicant shall submit such material as may be required to enable the Board to evaluate the impact of the work or the use on landscape, including an explanation with sketches as needed of design features intended to integrate the proposed new buildings, structures, plantings, etc. into the existing landscape to preserve and enhance existing aesthetic assets of the site and to screen objectionable features from neighbors.

(d) The applicant shall submit such material as may be necessary to enable the Board to evaluate the impact of the work or use on traffic in the vicinity of site. This material shall include:

(i) Traffic impact evaluation. The projected number of motor vehicle trips to enter or depart from the site shall be estimated for an average day and peak hours.

(ii) The projected traffic flow patterns for both vehicular and pedestrian access shall be described and related to the site plan, including vehicular movements at all major intersections likely to be affected by the proposed use of the site.

(iii) The impact of this traffic upon existing streets shall be evaluated in relation to road capacities.

(e) The applicant shall submit evidence of approval by the Board of Health where required.

14.6.2 Any person desiring approval of a site plan under this Section shall submit said plan to the Building Inspector, who shall transmit it forthwith to the Board of Appeals. No building permit shall be issued until the Board has approved a site plan or has allowed forty-five (45) days to elapse after receipt thereof without acting thereon. The Board shall have power to modify or amend its approval of a site plan on application of the owner, leasee,or mortgagee of the premises, or upon its own motion (if such power is reserved by the Board in its original approval). All of

the provisions of this paragraph applicable to approval shall, where apt, be applicable to such modification or amendment.

14.6.3 In deciding applications for Site Plan Approval under this paragraph the Board of Appeals shall assure to a degree consistent with a reasonable use of the site for the purposes permitted by the regulations of the district in which located:

(a) Protection of adjoining premises against detrimental or offensive uses on the site.

(b) Convenience and safety of vehicular and pedestrian movement in relation to adjacent ways and land.

(c) Adequacy of the methods of disposal for sewage, refuse and other wastes resulting from the uses permitted on the site and the methods of drainage for surface water.

## 15.0 PUBLIC CONVENIENCE AND SAFETY REGULATIONS

15.1 Signs, Exterior Lighting and Outdoor Display Only those signs and exterior lighting that pertain to buildings, structures, or uses permitted in these by-laws, and on the same premises, are permitted. The setback requirements shown in the Table of Dimensional Requirements, Section 4.1 are applicable to signs, exterior lighting fixtures, and structures.

15.1.1 Sign - A name, symbol, or mark placed on the outside of premises to identify the occupant or advertise goods or services sold within.

(a) Signs in districts other than residence districts may not exceed 40 square feet in area and 15 feet in height, including supporting structures and light sources.

(b) A sign attached to a building may not rise above the front roof line of the building to which it is attached.

(c) Signs must be fixed in position, so as not to rotate or oscillate.

15.1.2 Lighting - Exterior lighting and lighting of signs shall be continuous illumination, not flashing, blinking, or varying in color.

(a) Exterior lighting fixtures shall be designed and placed so that the light sources shall be completely shielded or diffused so as not to produce glare at any point along the exterior lines of ways adjacent to such premises, or at premises in a residential district.

(b) Illumination of athletic fields, golf courses and tennis courts is permitted when a Special Permit is issued by the Board of Appeals.

(c) The requirements for lighting of parking areas in Business Districts A and B are shown in subsection 15.2.6.

15.1.3 The provisions of this Section do not apply to the seasonal display of lights for the purpose of celebration of holidays, or to signs and advertising devices which have been installed or erected pursuant to a special permit, which shall expire in 7 days, granted by the Selectmen to a person or persons for any of the purposes set forth in M.G.L. Chapter 180, Sections 2 and 4.

15.1.4 Specific District Requirements for signs and lighting:

(a) Residential District - Real Estate signs, referring only to the premises or tract on which they are located and having an area not exceeding six square feet are permitted. The requirements for professional announcement cards are shown in subsections 3.3.4, 3.5.1 and 3.5.4.

(b) Business Districts A and B - No outdoor display of merchandise for sale, other than motor vehicles, automobile accessories customarily sold at filling stations, and farm and nursery produce shall be permitted.

Permitted signs and all outdoor displays shall be located not closer than 15 feet to the exterior line of any public or private way.

(c) Roadside Business District - The requirements are shown in subsection 7.3.3.

(d) Limited Commercial District - The requirements for billboards and advertising signs are shown in subsection 12.3.2.

15.2 <u>Off-Street Parking and Loading</u>.

15.2.1 Off-Street Parking and Loading Requirements - In both Business Districts A and B off-street parking space shall be provided in connection with the original erection or increase by units or dimensions of any building or structure in the following amounts:

(a) For general retail business, commercial and personal service establishments, parking facilities on the basis of 1 parking space per 70 square feet of floor area, exclusive of basement storage space or other space not used for business purposes. In addition to this amount, 1 space for each two employees shall be provided.

(b) For office, professional or public buildings having a floor area of over 2,000 square feet exclusive of basement, one off-street parking space for each 200 square feet of ground floor area not used for bulk storage and one parking space for each 400 square feet of floor area other than the ground floor.

(c) For restaurants, lunch counters, or other facilities for eating or drinking, one parking space for each three employees, plus one additional space for each 4 seats available for patrons at tables or counters.

(d) For roadside stands, filling stations, automobile repair shops or other roadside service establishments, one parking space for each two employees plus such additional spaces for customer-motorists as the Board of Appeals shall deem necessary, in order to provide a maximum of safety and a minimum of congestion on the adjacent roadways.

(e) For any and all uses or structures not specifically provided for in the foregoing enumeration, such parking space as the Board of Appeals shall determine to be necessary, considering the activities involved, in order to provide a maximum of safety and a minimum of congestion on the adjacent roadways.

15.2.2 Changes - Whenever there is a change in the lawful use of the premises or in the number of employees or business visitors or any other unit of measurement specified in any of the foregoing paragraphs of this Section, and whenever such change creates a need for an increase of more than 20% of the number of off-street automobile parking spaces, as determined by the requirements of this Section, more off-street parking

facilities shall have been provided on the basis of the adjusted needs, as determined by this Section.

15.2.3 Mixed Uses - In the case of mixed uses, the parking facilities required shall be the sum of the requirements for the various individual users, computed separately in accordance with this subsection: parking facilities for one use shall not be considered as providing the required parking facilities for any other use unless it can be clearly demonstrated that the need for parking occurs at different times.

15.2.4 Location of Facilities - Off-street automobile parking facilities, to the extent required in this Section may be provided either on the same lot or premises with the parking-generating activity or on any lot or premises a substantial portion of which, at least, is within 300 feet of such activity.

15.2.5 Parking areas shall be used for automobile parking only, with no sales, dead storage, repair work, dismantling or servicing of any kind. The required parking areas shall be permanently available for use by patrons and employees of establishments providing such space.

15.2.6 Design standards

(a) All off-street parking facilities shall be designed with appropriate means of vehicular access to a street or alley as well as maneuvering areas. Access to and from lots shall be through designated driveways with openings or curb cuts not in excess of 40 feet in width along the exterior line of public or private way.

(b) Parking areas shall be provided and maintained with a permanent dust free surface, shall be provided with adequate drainage and shall have bumper guards where needed for safety.

(c) If lighting is provided, the source of light shall be so arranged and shielded as to prevent direct glare from the light source into any public street or any adjacent property.

(d) Parking lots immediately adjacent to a Residence District shall be adequately screened from view from said Residence District by trees, hedges or a tight fence.

15.2.7 Off-Street Loading - On the same premises with every building where goods are received or shipped, newly erected or increased by units or dimensions after

March 7, 1956, adequate loading areas shall be provided. Every part of such loading area shall be located completely off the street.

15.2.8 Limited Commercial Districts - The requirements for parking and loading are shown in Section 12.3.

15.2.9 Roadside Business District - The requirements for parking and loading are shown in Section 7.3.

15.3 Removal of Earth and Sod

15.3.1 The removal of sod, loam and gravel, stone or other earth materials from any premises in any district, including such removal to effect topographical changes, shall be allowed only if a Special Permit shall be obtained from the Board of Appeals and only under such conditions as the Board may impose, with the following exceptions:

(a) Removal necessary for the construction or alteration of a building for which a building permit has been issued including the installation of walks, driveways, and other appurtenances to said building, providing that the quantity of material to be removed as certified to by a registered professional engineer or land surveyor or the Town Surveyor does not exceed that displaced by the building, walks, driveways, and other appurtenances.

(b) Removal from Town-owned land and transfer between or among such parcels.

15.3.2 Before a Special Permit is issued, the applicant shall show to the satisfaction of the Board that the removal will tend to protect and improve the neighborhood, and will not impair the useability of the area for the purposes permitted in these by-laws. In addition, it shall be shown that grades to be established within the area will permit vehicular access to the area and the continuation of streets from the abutting premises, so that the area may ultimately be developed compatibly with the neighboring land.

15.3.3 Removal of sod, loam, sand, gravel, or quarried stone from within a subdivision, the plan of which has been approved by the Planning Board and duly recorded in Middlesex South District Registry of Deeds, shall be permitted when and to the extent that such is necessary for the lawful construction or alteration of a way shown on said plan, or for the lawful installation of utilities or drain pipes or drain structures in said subdivision, provided that the quantity of sod, loam, sand, gravel, or quarried stone so removed shall not exceed that in place in the particular space to be occupied by such way, utilities, drain pipes or drain structures, and subject to any requirements made by the Planning Board endorsed or referred to on the plan of such subdivision.

15.3.4 Nothing contained in this Section 15.3 shall prevent the continued use of any land for the purpose for which it was used as of September 5, 1934,

or prevent the use of any land for farms, gardens, nurseries, cemeteries, parks, playgrounds and such purposes as are incidental to or usual in connection with any of said purposes.

15.4 Visibility at Street Corners. Reference is made to subsection 4.2.3 which prohibits planting, structures and parts of buildings which obstruct visibility at street corners.

15.5 Sidewalks. In the event of the construction, reconstruction or substantial alteration of any premises which are used or intended to be used in whole or part for any industry, trade, manufacturing or commercial purposes, a paved pedestrian sidewalk shall be constructed as a part of such construction, reconstruction or substantial alteration, such sidewalk to be no less than five feet in width, set back no less than four feet from the street property line and constructed the full width of the Lot except where driveways exist, separated from the remainder of the Lot with a four foot strip to be maintained as a landscaped area. The sidewalk location shall be such as to join in a reasonable manner existing or potential sidewalks on abutting land.

15.6 Ungaraged and Unregistered Motor Vehicles. Unless authorized by the Board of Selectmen, not more than one unregistered and ungaraged motor vehicle shall be placed or permitted to remain on any Lot in a single residence district, and no unregistered and unsightly motor vehicle shall be placed or permitted to remain in the front yard of any such Lot. Any person so placing a motor vehicle and, if placed or allowed to remain with his or her knowledge or consent, the owner or owners of the motor vehicle and of the Lot, shall each be punishable by a fine of not more than Twenty Dollars for each offense.

## 16.0 PLANNED DEVELOPMENT DISTRICTS

16.1 Objective. In accord with the provisions of M.G.L. Chapter 40 A, Chapter 41, Section 81 I, the Home Rule Amendment (Article 89) to the Constitution of the Commonwealth of Massachusetts, and every other power that the Town of Wayland may exercise, the Zoning Board of Appeals may grant special permits exempting planned developments which satisfy the terms and conditions which may properly be imposed pursuant to this Section 16.0 from certain regulations and restrictions contained in these By-laws for the purposes set forth in St. 1975, Chapter 808, Section 2A and 6 and to achieve the following objectives.

(a) Development that conserves environmental features, woodlands, wetlands, productive farms and areas of scenic beauty, and preserves sites and structures of historical importance.

(b) Development that encourages the construction and location of multi-residence dwellings in certain sites in order to preserve open space in Wayland for all its inhabitants.

(c) Development that provides for a variety of housing in Wayland.

(d) Development that will permit the Town to continue to provide the same quality of municipal services without imposing an increased financial burden on its citizens.

16.2 Definitions.

(a) Applicant - The person or persons, including a corporation or other legal entity, who applies for issuance of a Special Permit hereunder. The applicant must own, or be the beneficial owner of, all the land included in the planned development site proposed, or have authority from the owner(s) to act for him or hold an option or contract duly executed by the owner(s) and the applicant giving the latter the right to acquire the land to be included in the site within a period of sixty days from the time that the applicant shall notify the owner(s).

(b) Bedroom - A separate room intended for, or which customarily could be used for sleeping.

(c) Buffer - An area within a planned development site adjacent to its boundaries, roads, streams and ponds which may not be developed except as provided herein.

(d) Development Schedule - A program showing the order of construction and the sequence of improvements to be built or furnished in the planned development site defined by stages where applicable.

(e) Dwelling Unit - A residence. Each residence shall contain at least a kitchen-living area, a bathroom and one or more bedrooms.

(f) Land - Land, including areas covered by water.

(g) Multi-residence Dwelling or Building - A building containing more than one dwelling unit.

(h) Public Land - Land included in the planned development site which is donated in fee, except for such encumbrances as may be permitted by the Zoning Board of Appeals, and accepted by the Town in connection with the planned development.

(i) Private Open Space - Land included in the planned development site which is neither public land nor residential land.

(j) Residential Land - Land included in the planned development site which shall be submitted by the applicant to the provisions of M.G.L. Chapter 183 A.

(k) Stage of Development - The work to be done and the number of structures to be built within any of the time limited defined by the development schedule.

(l) Wet Areas - Wet areas include water areas and other land in any of the following categories:

(a) Land having an elevation of less than 124 feet above mean sea level.

(b) All lands within the Watershed Protection District originally established by vote of the Town under Article 17 of the 1967 Annual Town Meeting as the same may be amended from time to time. See Section 13.2.

(c) Land which is ordinarily submerged during any portion of the year.

(m) Detached Unit - A building containing one dwelling unit.

16.3 Permitted Uses.

16.3.1 In a planned development district, no building or premises shall be used nor shall any building or structure be constructed, reconstructed, repaired or used, except as follows:

(a) Any use permitted as of right in a Residential District (See Section 3.0) shall be permitted therein as of right. Prior to the issuance of a Special Permit by the Zoning Board of Appeals under this Section 16.0, a parcel of land included within

a Planned Development District shall retain the residential zoning classification listed under Section 1.2 applicable to it prior to such designation by Town Meeting as a Planned Development District.

(b) Any use permitted if a Special Permit is obtained from the Zoning Board of Appeals in accordance with the provisions of Section 14.5 shall be permitted therein subject to the same provisions.

(c) Multi-residence and detached unit condominium dwellings shall be permitted therein, provided that a Special Permit is obtained from the Zoning Board of Appeals in accordance with the provisions of this Section 16.0

16.3.2 No multi-residence or detached unit condominium dwelling shall be permitted in a planned development site in the event that the applicant shall have constructed or reconstructed any building or structure on residential land for any use permitted under paragraph 16.3.1 (a) and (b) above after a Special Permit shall have been granted to the applicant pursuant to paragraph 16.5.3 (f) below.

16.3.3 For the convenience of a multi-residence condominium development of which it will be a part, retail sales and service establishments, including, without limitation, neighborhood variety food stores and drug stores, but excluding gasoline service stations or fast food stores, provided that:

(a) No more than one such establishment shall be permitted for each one hundred dwelling units constructed.

(b) No such establishment shall occupy more than 2,000 square feet of space.

(c) The Zoning Board of Appeals shall have endorsed its approval on a site plan of the establishment proposed pursuant to the provisions of Section 14.6 of these Zoning by-laws.

(d) The Zoning Board of Appeals shall find that such an establishment meets the standards set forth in paragraph 16.4 below and the objectives set forth in paragraph 16.1 above.

16.3.4 In the event that access roads and underground utility services (other than septic disposal facilities) are necessary for a planned development

site, land abutting but not included in a Planned Development District may be used for such purposes provided that such use shall have been approved by a 2/3 vote of a Town Meeting, that the Zoning Board of Appeals shall have endorsed its approval thereof on a site plan of the development proposed pursuant to the provisions of Section 14.6 of these By-laws, and further provided that:

(a) The Planning Board shall find that such roads and services meet the objectives set forth in paragraph 16.1 above;

(b) The Planning Board shall find that such roads and services meet the objectives set forth in paragraph 16.4 below;

(c) Any such roads and services so permitted shall be subject to all applicable provisions of this Section 16.0 and the rules and regulations prescribed by the Planning Board pursuant to paragraph 16.7 below.

16.4 Standards.

16.4.1 Qualifying Area - In order to qualify as a planned development site, an area of land in a planned development district shall contain at least 125 contiguous acres not divided by an existing street or aqueduct. Additional areas may be permitted in a planned development site, although such areas are divided from the qualifying area by a street or aqueduct. If additional areas are so included, then the qualifying area, together with such additional areas, shall thereafter, be treated as one indivisible planned development site.

16.4.2 Principals - No application for a Special Permit shall be approved unless the Zoning Board of Appeals shall find:

(a) That the development plan proposed is financially sound.

(b) That the applicant's associates, professional advisers and contractors are qualified by training and/or experience to develop real estate and to construct multi-residence dwellings comparable to those proposed in accord with the development schedule set forth in his application.

16.4.3 Development Schedule - A development schedule shall be required that considers the capacity of the applicant to develop as well as the ability of

the Town to provide public services in accord with the provisions of paragraph 16.1 (d) above.

16.4.4 Open Space Coverage - At least 70% of the area of a planned development site shall consist of public land and private open space; and at least 35% of the area of a planned development site shall be public land.

16.4.5 Preservation of Natural and Historical Features - Natural and historical features of special interest, including hill tops, cliffs and bluffs, ravines, attractive groves of trees, biological habitats of special interest, and views of unusual charm shall be preserved.

16.4.6 Ground Coverage Limitation - No more than 15% of the total area of a planned development site shall be occupied by structures, parking areas, roadways and driveways, patios, storage spaces or enclosed areas; provided, however, that buildings and structures erected on public land shall not be included in this calculation.

16.4.7 Density of Dwelling Units.

(a) The maximum number of dwelling units that may be allowed in a planned development site shall be determined by the Zoning Board of Appeals in accord with the following formula:

$D=K(A-W)$

D=the maximum number of dwelling units,

K=the density factor,

A=total number of acres in a planned development site, and

W=number of acres of wet areas.

(b) The density factor (K) shall be a value recommended by the Planning Board within the following ranges:

(1) 1.0 to 1.4, inclusive, in a 60,000 square foot residence zone;

(2) 1.25 to 1.75, inclusive, in a 40,000 square foot residence zone; based on the following criteria:

(i) The nature, size and distribution of the wet areas in the site as well as the soil drainage conditions there;

(ii) The topography;

(iii) The Amount and location of land available for parking, access and unobstructed areas between nearby buildings;

(iv) The extent to which the plan provides access to county or state highways or other modes of transportation; and

(v) The acreage donated to the Town for public land in excess of the minimum amount set forth in paragraph 16.4.4 above.

(c) In the event that it is proposed to develop a planned development site in stages or over a period of years, the Planning Board may recommend that the development plan provide for greater concentration of density or intensity of land use within some section or sections of the site than in other sections, provided, however, that approval of such greater concentration shall be offset by a smaller concentration in a section that shall have been completed prior thereto and provided further that the total number of dwelling units in the planned development site shall not exceed the maximum determined in accord with the aforesaid formula.

16.4.8 Number of Bedrooms - The number of bedrooms in any planned development shall not exceed twice the number of dwelling units permitted by the Special Permit.

16.4.9 Distribution of Bedrooms Among Dwelling Units.

(a) No more than 70% of the dwelling units in any planned development site, or at the completion of any stage of construction permitted in the development schedule, shall contain the same number of bedrooms.

(b) No more than 25% of the total number of bedrooms permitted in any planned development site shall be contained in detached units.

16.4.10 Maximum Number of Dwelling Units Per Building - No multi-residence dwelling in a planned development site shall contain more than 10 dwelling units.

16.4.11 Buffers - No structure may be erected nor may any land be paved within one hundred (100) feet of the perimeter of the planned development site nor from any pond, stream or road (other than ways or driveways not intended for public acceptance by the Town) unless such construction shall have been recommended by the Planning Board acting in accord with the standards set forth in its Regulations. No structure or building as defined in the most current codification of the Commonwealth of Massachusetts State Building Code may be erected on any portion of a planned development site within fifteen (15) feet of Public Land unless such construction shall have been recommended by the Planning Board acting in accord with the standards set forth in its Regulations. The Zoning Board of Appeals may, nevertheless, approve the construction in any such buffer of such structures, ways, foot and bicycle paths, fences and other landscape constructions, as well as bridges and recreational facilities recommended by the Planning Board if it shall determine that such construction and use may be in harmony with the general purpose and intent of these by-laws.

16.4.12 Separation of Buildings - The developer shall separate neighboring buildings to prevent overmassing and to assure privacy and a view to outlying open areas. Every effort shall be made to design and locate buildings to retain and reflect the character of the community in which they are located.

16.4.13 Height - No building or structure shall be more than three stories in height nor exceed thirty-five feet in height from finished grade at any point.

16.4.14 Parking - A minimum of two parking spaces shall be provided for each dwelling unit. No lot providing for residential parking shall contain more than 25 parking spaces. Each parking lot shall be screened from ways by a landscaped border which shall be at least twenty-five feet wide.

16.4.15 Utilities - All electric, gas, telephone and water distribution lines shall be placed underground in accord with the Regulations of the Planning Board unless the Zoning Board of Appeals shall grant an exception to this requirement.

16.4.16 Access to Public Land - The applicant shall construct paths and trails leading to public lands

and grant easements to the Town in and over such trails and paths.

16.4.17 Roads - All roads shall be designed, located and constructed in accord with the subdivision regulations promulgated by the Planning Board as the same may be, from time to time amended.

16.4.18 Paths - Paths for the use of residents shall be attractively designed with proper regard to convenience, separation of vehicular, bicycle and pedestrian traffic, adequate connectivity, completeness of access to the various amenities and facilities on the site.

16.4.19 Surface Drainage - The surface drainage system shall be designed in accord with the Regulations of the Planning Board.

16.4.20 Septic Disposal - All waste water treatment and/or sewerage disposal facilities shall be designed and constructed in accord with the most recent provisions of the Sanitary Code promulgated by the Massachusetts Department of Public Health, the Regulations of the Board of Health and all other laws pertaining thereto.

16.4.21 Detached Units.

(a) The number of detached units in any planned development site shall not exceed 20% of the total number of dwelling units permitted.

(b) The number of detached units in any stage of development shall not exceed 40% of the total number of dwelling units permitted in such stage.

(c) In determining the number of detached dwelling units to be permitted, the Board of Zoning Appeals may consider the recommendations submitted by the Planning Board pursuant to Section 16.5.2 below.

16.5 Administration.

16.5.1 Application for a Special Permit - An application for a Special Permit to develop a planned development site shall be submitted on forms furnished by the Planning Board to the Zoning Board of Appeals. Written notice containing a copy of said plan, shall be given by the applicant to the Town Clerk, the Conservation Commission, the Finance Committee, the Fire Chief, the Board of Health, the Inspector of Buildings, the Park and Recreation Commissioners, the Police Chief, the Road Commissioners, the School Committee, the School

Building Planning Committee, the Selectmen, the Commissioners of the Water Department and the Planning Board. Each such application shall be accompanied, if applicable, by a definitive plan of land pursuant to the provisions of G.L. Chapter 41, Section 81 O and 81 T as the same may be from time to time amended, a filing fee determined in accord with paragraph 16.9 below, and a development plan containing the following information and data:

(a) The name(s) and address(es) of the applicant and all legal and beneficial owners of the site; copies of all instruments, options, contracts or encumbrances affecting ownership of the planned development site together with the opinion of an attorney concerning owning property within the site agreeing that the development is desired.

(b) A plan suitable for recording of the planned development site showing all structures and improvements on the site, all ways and utilities serving the same, all lot lines, easements and rights of way of record.

(c) All information required by the Planning Board regarding the training and experience of the applicant, his associates, professional advisers and contractors in the development and management of real estate, the construction of multi-residence dwellings as well as their respective financial positions. Such information may include a list of all persons and organizations with which he has been associated in the development of real estate during the past ten years, including their addresses and the names of their principal officers, as well as all sources of credit upon which he relies to acquire, develop and manage the planned development site. The applicant shall furnish copies of such transcripts, records, letters of intent, contracts as to determine whether the applicant is qualified to undertake and complete the planned development proposed and whether his plan for financing the same is sound.

(d) A proposed development schedule showing the beginning of construction, the rate of construction and development, including stages, if applicable, and the estimated date of completion.

(e) Information showing the effect, from time to time, of the development on the Town's capacity to furnish services including, but not limited to, schooling, roads, water and sanitation.

(f) A map, to the scale required by the Planning Board, of the planned development site and the community surrounding the same to a distance of one half mile and showing all proposed points of interconnection including roads, open space, utilities and schools.

(g) A plan or plans to the scale required by the Planning Board, the topography of the site at a minimum of two foot intervals, as well as vegetation and special features, including all woodlands, wetlands, groups of trees or individual trees worthy of preservation, rock outcroppings, significant slopes, trails and paths, flowing streams and drainage ways, and ponds, productive agricultural lands, open vistas; structures of historical importance and biological or wildlife habitats.

(h) Plans for the preservation of the vegetation and special features shown on said plan.

(i) All information that the Planning Board may require to determine limitations on private open space, ground coverage and density.

(j) Information regarding the number and kind of dwelling units proposed, including their location, the number of bedrooms planned, the sale prices anticipated and population projections pertaining thereto.

(k) A plan or plans, to the scale required by the Planning Board, showing existing and proposed contours, roads, lighting, utility and sewerage systems; the areas to be set aside for public land, for private open space, for municipal facilities, buffers, for building structures and parking areas.

(l) A model or models illustrating preliminary landscaping and architectural design, showing types, location and layout of buildings, typical elevations, as well as the general height, bulk and appearance of structures. Perspective drawings may be required.

(m) A report showing the manner of construction of structures describing structural and paving materials, all in accord with the minimum standards prescribed in the most recent provisions of the Commonwealth of Massachusetts State Building Code and all other laws and regulations pertaining thereto.

(n) Information showing the street name and numbering system proposed and any supplementary methods proposed for identifying places and residences in the site.

(o) The organization which the applicant proposes to form, to own and maintain the residential land, including forms and plans to be used to organize and manage the same.

(p) Copies of all proposed covenants, easements, and other restrictions which the applicant proposes to grant to the Town, utility companies, the condominium and the owners thereof, including plans of land to which they are intended to apply.

(q) Proposals for the disposition of sanitary waste and storm water.

(r) Any and all other information that the Planning Board may reasonably require in a form acceptable to it to assist it in advising the Zoning Board of Appeals as to whether the applicant's development plan proposed meets the objectives of paragraph 16.1 and satisfies the standards of paragraph 16.4 above.

16.5.2 Review and Action by the Planning Board - Before submitting its recommendations to the Zoning Board of Appeals regarding a development plan, as the same may have been modified from time to time since it was first submitted, the Planning Board shall request a report from the Board of Health pursuant to M.G.L. Chapter 41, Section 81 U and hold a public hearing on such plan, giving notice of the time and place thereof and of the subject matter in accord with the provisions of M.G.L. Chapter 41, Section 81 T, as the same may be, from time to time, amended. Within 90 days after submission of such development plan, the Planning Board shall file a written report to the Zoning Board of Appeals recommending approval or disapproval of said plan. In the event that it shall recommend disapproval of such plan, the Planning Board shall make specific findings and set forth the reason or reasons therefor in such report and, where possible, shall advise the Zoning Board of Appeals of how the plan may be adjusted to comply with, these by-laws.

16.5.3 Review and Action by the Zoning Board of Appeals.

(a) Within thirty days after it receives the report of the Planning Board upon such development plan as well as notice that the Planning Board has approved

applicant's definitive plan of land pursuant to the provisions of M.G.L. Chapter 41, Section 81 U and V, if required, the Zoning Board of Appeals shall fix a reasonable time for the hearing of said application for a Special Permit, giving notice thereof in accord with the provisions of M.G.L. Chapter 40 A, Section 11, as the same may be, from time to time, amended.

(b) In the event that the Board shall decide, after the conclusion of such hearing, not to grant such a Special Permit, it shall notify all parties in interest of its decision as provided in M.G.L. Chapter 40 A, Section 15, as the same may be, from time to time, amended.

(c) If, on the other hand, the Board shall be inclined to grant such a Special Permit, it shall, within thirty days after the date of the conclusion of the public hearing, send to the applicant a proposed Special Permit containing the development plan approved, as well as such conditions and safeguards it deems appropriate to assure that the site approved shall be developed in complete harmony with the general purpose and intent of M.G.L. Chapter 40 A, Section 9 and these by-laws. Without limiting this general purpose and intent, such conditions and safeguards shall include:

(1) A requirement that the applicant shall submit the following to the Zoning Board of Appeals:

(i) A plan suitable for recording showing all the public land, the private open space and the residential land in the planned development site;

(ii) A deed conveying to the Town a good and clear record and marketable title free of all encumbrances (except for such encumbrances as may be permitted by said Board) to all land designated as "public land" on the approved development plan;

(iii) An instrument, suitable for recording pursuant to the provisions of M.G.L. Chapter 184, Sections 26 through 33, imposing a conservation restriction for the benefit of said public land upon all land designated "private open space" on the approved development plan, but reserving to the grantor the right to use and develop the same in accord with the provisions of paragraph 16.6 below. The said restriction shall be

enforceable by the Town of Wayland pursuant to the provisions of Chapter 184, Section 30; and

(iv) A master deed duly executed and recorded by the applicant submitting all residential land to the provisions of M.G.L. Chapter 183 A, as well as a copy of the By-laws duly adopted by the organization of unit owners.

(2) A development schedule bearing the signature of the applicant showing dates for:

(i) Commencement of development within one year after recording of the Special Permit applied for;

(ii) Completion of each stage of the development proposed, if applicable;

(iii) The recording of covenants, restrictions and/or easements in private open space; and

(iv) Completion of the planned development.

(3) Negotiable instruments, deposits of money and/or a performance bond of a surety company qualified to do business in the Commonwealth of Massachusetts and satisfactory to the Zoning Board of Appeals shall be furnished and maintained by the applicant and a covenant shall be executed and recorded by the applicant, running with the land, which shall be sufficient, in the opinion of the Zoning Board of Appeals to secure adherence by the applicant to the development plan approved and performance of such plan in accord with the development schedule set forth therein. All such covenants shall provide the applicant shall pay fifty dollars ($50) to the Town, as liquidated damages, for each day that shall pass after the expiration of 90 days from the time that any work shall not have been completed as required by the development schedule, unless said work shall have stopped for a period of thirty days under a court order or if it shall be stopped or delayed through no act or fault of the applicant or of any of the contractors that he has engaged to develop the site.

(4) A requirement that the professionals and principals named in the development plan shall continue to participate in the development in the capacities specified in the plan approved, unless the Zoning Board of Appeals shall have modified the permit as hereinafter provided.

(5) Regulations to minimize inconveniences to residents in the general area, whether of noise, vibration, dust, blocking of Town roads, or otherwise.

(6) A requirement that as built drawings shall be filed with the Inspector of Buildings upon completion of each stage of the development.

(d) The applicant shall, within sixty days after he receives a copy of the proposed Special Permit from the Zoning Board of Appeals notify said Board of his acceptance of or his refusal to accept all the conditions and safeguards set forth therein. In the event that the applicant shall notify said Board that he accepts all such conditions, he shall file with his notice copies of the plan and instruments that he proposed to submit pursuant to paragraph 16.5.3 (e) below to satisfy the requirements of paragraph 16.5.3 (c) (1) through (3) above. In the event that the applicant shall not within said period notify the Zoning Board of Appeals that he accepts all said conditions and safeguards, or if he shall fail to submit copies of the aforesaid plan and instruments, the Zoning Board of Appeals shall be deemed to have denied approval of the development plan and his application for a Special Permit. The Zoning Board of Appeals and the applicant may, nevertheless, agree to a change in any such conditions, and the Board may, at the request of the applicant, extend the time during which the applicant shall notify the Board of his acceptance or refusal to accept the conditions and safeguards proposed.

(e) Within sixty days after he has notified the Zoning Board of Appeals of his acceptance, the applicant shall deliver to said Board all of the documents described in paragraph 16.5.3 (c) (1) through (3) except the instrument and master deed required by paragraph 16.5.3 (c) (1) (iii) - (iv) above, together with any and all other instruments and fees that may have been imposed as a condition or safeguard upon exercise of the Special Permit applied for.

(f) Upon receipt of all such material, the Zoning Board of Appeals may grant such Special Permit to the applicant in accord with the procedure set forth in said M.G.L. Chapter 40 A, Section 11, subject, however, to conditions and safeguards as it may impose pursuant to Section 9 of the Zoning Act.

(g) The Zoning Board of Appeals shall have no power to issue a Special Permit under Section 16.0:

(1) After the expiration of 36 months from the date on which the Attorney General shall have

approved the By-law amendment designating a Planned Development District for which the Special Permit is sought unless, after the expiration of such 36 month period, the consent of all but one of the members of the Planning Board shall be given to the issuance of a Special Permit in the manner provided by M.G.L. Chapter 40 A, Section 16. Such consent by all but one of the members of the Planning Board shall be effective for 12 months from its date, and may be extended for additional 12 month periods by similar vote of the Planning Board.

(2) Unless the entire area in the Planned Development District is included in the planned development site described in the application for a Special Permit referred to in Section 16.5.1 above.

16.5.4 Permits for Use and Construction.

(a) No permit for the construction or alteration of any structure or for any new use of a structure or of land in planned development site shall be granted by the Inspector of Buildings until the Planning Board shall have reviewed a copy of each application for a building permit and/or a use permit submitted to it by the applicant and notified the said inspector in writing that:

(1) Less than one year has expired since the grant of the Special Permit or that a building or use permit has previously been granted for said site.

(2) The applicant has delivered the instrument required by paragraphs 16.5.3 (a) (1) (iii) above to the Zoning Board of Appeals;

(3) The applicant has obtained binding commitments for the financing required to complete the stage of development proposed or in progress in residential land or that he has irrevocably committed personal funds sufficient for this purpose; and

(4) That the construction and/or use proposed is in substantial compliance with the definitive plan of the subdivision, where applicable, the planned development plan and the Zoning By-laws of the Town.

In the event that twenty days shall have elapsed after the Planning Board has received a copy of such application without submitting the aforesaid notification, the permit may issue as if

the Planning Board had so notified the said inspector.

(b) In the event that the Planning Board shall determine that the applicant has not satisfied the conditions and safeguards set forth in paragraph 16.5.4 above or that any schedule, construction or use applied for will vary any of the following by ten percent or more from the planned development plan approved, it shall recommend that the Inspector of Building and Zoning withhold a permit therefor pursuant to the provisions of M.G.L. Chapter 40 A, Section 7, as the same may be, from time to time amended:

(1) The amount and location of ground coverage, including buffers;

(2) Adherence to the development schedule;

(3) The density and types of dwelling units, the size, and

(4) The number of parking spaces required;

(5) The location of utility facilities;

(6) The location of paths, ways and traffic.

(c) In such event, the applicant may either appeal such decisions of the Inspector of Buildings pursuant to the provisions of M.G.L. Chapter 40 A, Sections 8 and 15 or apply for modification of his Special Permit as hereinbelow provided.

16.5.5 Modification or Amendment of an Approved Plan.

(a) In addition to the powers conferred upon it by M.G.L. Chapter 41, Section 81 W, the Planning Board shall have the power on its own motion or on the petition of any person interested to recommend that the Board of Zoning Appeals modify or amend its approval of the development plan annexed to its Special Permit, provided that no such recommendation may be filed until the Planning Board shall have satisfied the requirements of paragraph 16.5.2 above.

(b) No modification of the provisions of said development plan, or part thereof, contained in the Special Permit, shall, nevertheless, be made, nor shall it be impaired by the Town, except with the written consent of the applicant.

16.5.6 Abandonment - In the event that the applicant shall abandon the work described in the development plan approved, or any portion or stage thereof for a period of one hundred twenty days, or if he shall fail to commence said work within the time prescribed in paragraph 16.5.3 (c) (2) (iv) above, the Zoning Board of Appeals may, after a hearing duly called and conducted in accord with M.G.L. Chapter 40 A, Sections 11 through 15, cause a notice of abandonment to be recorded in the Middlesex, South District, Registry of Deeds. No such notice shall be recorded, however, in the event that the holder of any security interested in the planned development site, who has exercised his right to take possession of the mortgaged property and to proceed to completion of the work which he has contracted to finance, shall have delivered an instrument to the Zoning Board of Appeals, assented to by the applicant, accepting all the conditions and safeguards set forth in the Special Permit, as the same may have been, from time to time, modified; and such holder or holders shall, thereupon, be deemed the applicant hereunder. Upon the recording of a notice of abondonment, no further development shall take place in the development site unless the applicant shall have complied with the zoning and subdivision control regulations which would otherwise be applicable thereto.

16.6 Use and Maintenance of Land.

16.6.1 Use of Private Open Space - No construction in or development of private open space shall be permitted unless the Zoning Board of Appeals shall have approved any of the following uses there in its Special Permit:

(a) Utility structures and facilities.

(b) Structures and facilities accessory thereto designed for agricultural and/or recreational purposes including structures designed to be used for the purposes and subject to the terms and conditions of paragraph 3.4.7 of these by-laws.

16.6.2 Use and Maintenance of Residential Land.

(a) No person shall occupy any structure constructed in the planned development site unless the Inspector of Buildings shall find that such structure, the land on which it is located and the improvements associated therewith, have been submitted by the applicant to the provisions of M.G.L. Chapter 183 A.

(b) In the event that any organization established under M.G.L. Chapter 183 A, Sections 8, 10 through 12 shall at any time fail to maintain its common areas and facilities in reasonable order and condition in accordance with the development plan set forth in the Special Permit, as the same may have been amended or modified from time to time, the Inspector of Buildings may serve written notice upon such organization or upon the residents of the planned development setting forth the manner in which the organization has failed to maintain its said areas and facilities in reasonable condition, and said notice shall include a demand that such deficiencies of maintenance be cured within thirty days thereof, and shall state the date and place of a hearing thereon which shall be held within fourteen days of the notice. If the deficiencies set forth in the original notice shall not be cured within said thirty days or any extension thereof, the Town may maintain the same in reasonable condition at the expense of such organization and/or pursue any and all remedies that may be available to it under M.G.L. Chapter 40, Section 31, Chapter 40 A, or otherwise to assure the continued maintenance of all such residential land.

(c) No portion of any common areas and facilities shall be sold or otherwise disposed of by such organizations unless the Town shall have given written notice of its intent to sell and sixty days to exercise a right of first refusal.

(d) No portion of any condominium shall be removed from the provisions of said Chapter 183A without the consent thereto by a two-thirds vote of a town meeting.

16.7 Regulations.

16.7.1 The Planning Board may prescribe, from time to time, rules and regulations to supplement the standards and conditions set forth in this section of the Zoning By-laws provided:

(a) Said rules and regulations are not inconsistent with said standards and conditions.

(b) A copy of said rules and regulations is filed in the office of the Town Clerk, and

(c) Any amendment or change of said rules and regulations shall not apply to any application that shall have been submitted prior to such filing.

16.8 Enforcement.

16.8.1 General Principles.

(a) In accord with the provisions of M.G.L. Chapter 40, Section 31, Chapter 40 A, Section 7, Chapter 41, Section 81 U and Article 20 of the By-laws of the Town of Wayland and every other authority and power that may have been or may hereafter be conferred upon it, the Town may enforce the conditions and safeguards imposed on the exercise of Special Permits under this Section 16.0 in equity or at law and to recover from the applicant, his successor or approved assignee(s) all moneys that may be required to complete the development plan approved.

(b) The penalty provisions of these By-laws may be imposed upon the applicant, his general agent, tenant(s), architect(s), contractor(s), or any and all persons having an interest in the development site, including mechanic's liens, mortgage or attachments.

(c) The Town shall be the beneficiary of all fines imposed on account of the violation of these By-laws in order to defray the expense of enforcing the same.

(d) All provisions of the development plan approved shall run in favor of the residents thereof but only to the extent expressly provided in the plan and in accordance with the terms of the plan, and to that extent said provisions, whether recorded by plan, covenant, easement, or otherwise, may be enforced at law or in equity by said residents acting individually, jointly, or through their organization.

16.8.2 Stop Order.

(a) In the event of a violation of law, an unauthorized sale or lease of the development site approved, development that deviates from the development plan approved, any use of the property that is not permitted in the development site, the failure to maintain residential land or if the applicant shall otherwise fail or neglect to comply with the conditions and safeguards imposed on the exercise of his Special Permit, the Inspector of Buildings may deliver a stop order to the applicant or his agent by certified mail, return receipt requested, and by posting the same in a conspicuous location in said site. The order shall describe

the nature of the violation, and the date on which said order shall expire, which date shall not be six days later than the date of the order.

(b) Any person who shall violate the provisions of a stop order shall be deemed in violation of these By-laws.

(c) Failure of the Town to deliver a stop order for any reason shall not prevent the Town from pursuing any other legal remedy permitted under law.

16.9 Fees.

16.9.1 In order to reimburse the Town for the expense or processing the various applications hereinabove provided for the Zoning Board of Appeals may, from time to time, adopt and promulgate in its Regulations a schedule of fees payable by the applicant, a copy of which shall be kept on file and available in the office of the Town Clerk.

16.10 Dedication To Public Use.

All persons applying for a Special Permit to the Zoning Board of Appeals seeking an exception under this Section 16.0 to the regulations and restrictions contained in the Zoning By-laws of the Town of Wayland acknowledges that their proposal to construct multi-residence dwellings in the Town of Wayland will be considered by the Board by reference to the Town's objective to preserve open space for all its inhabitants by permitting a greater density of dwelling units in Planned Development Districts than would otherwise be permitted there by law, and their offer to convey property shown as "public land" in their development to the Town shall be construed in satisfaction of a condition which the Board may lawfully impose pursuant to M.G.L. Chapter 40 A, Section 9 so that exceptions sought by applicants shall always be in harmony with the general purpose and intent of these By-laws.

16.11 Severability.

A determination that any specific portion of this Section 16.0 is invalid shall not render any other part thereof invalid.

# NOTES

# NOTES

TOWN OF WAYLAND
*Board of Selectmen*
41 COCHITUATE ROAD
WAYLAND, MASS. 01778

Bulk Rate
U.S. Postage
PAID
Permit No. 16
Wayland, Mass.

POSTAL PATRON

WAYLAND, MASS. 01778